101ST CONGRESS
1st Session

SENATE

REPORT
101-12

REPORT

ON THE ACTIVITIES

OF THE

COMMITTEE ON THE JUDICIARY

OF THE

UNITED STATES SENATE

DURING THE

100TH CONGRESS

PURSUANT TO

Rule XXVI of the Standing Rules

OF THE

UNITED STATES SENATE

APRIL 4 (legislative day, JANUARY 3), 1989.—Ordered to be printed

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SENATE COMMITTEE ON THE JUDICIARY

ONE HUNDREDTH CONGRESS

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LETTER OF TRANSMITTAL

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, March 30, 1989.

Hon. WALTER J. STEWART,
Secretary, U.S. Senate,
Washington, DC.

DEAR MR. STEWART: In accordance with Rule XXVI of the Standing Rules of the United States Senate, I am transmitting herewith a report on the activities of the Committee on the Judiciary of the United States Senate for the 100th Congress.

Sincerely,

JOSEPH R. BIDEN, Jr., *Chairman.*

Enclosure.

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REPORT OF THE ACTIVITIES OF THE COMMITTEE ON THE JUDICIARY DURING THE 100TH CONGRESS

APRIL 4 (legislative day, JANUARY 3), 1989.—Ordered to be printed

Mr. BIDEN, from the Committee on the Judiciary, submitted the following

REPORT

JURISDICTION OF THE COMMITTEE ON THE JUDICIARY

Pursuant to Rule XXVI(8) of the Standing Rules of the United States Senate, all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects are referred to the Committee on the Judiciary:

1. Apportionment of representatives.
2. Bankruptcy, mutiny, espionage, and counterfeiting.
3. Civil liberties.
4. Constitutional amendments.
5. Federal courts and judges.
6. Governmental information.
7. Holidays and celebrations.
8. Immigration and naturalization.
9. Interstate compacts generally.
10. Judicial proceedings, civil and criminal, generally.
11. Local courts in the territories and possessions.
12. Measures relating to claims against the United States.
13. National penitentiaries.
14. Patent Office.
15. Patents, copyrights, and trademarks.
16. Protection of trade and commerce against unlawful restraints and monopolies.
17. Revision and codification and the statutes of the United States.
18. State and territorial boundary lines.

RULES OF THE COMMITTEE ON THE JUDICIARY [1]

I. MEETINGS OF THE COMMITTEE

1. Meetings may be called by the Chairman as he may deem necessary on three days notice or in the alternative with the consent of the Ranking Minority Member or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee, at least 48 hours in advance of the hearing, a written statement of his testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. On the request of any member, a nomination or bill on the agenda of the Committee will be held over until the next meeting of the Committee or for one week, whichever occurs later.

II. QUORUMS

1. Eight members shall constitute a quorum of the Committee when reporting a bill or nomination; provided that proxies shall not be counted in making a quorum.

2. For the purpose of taking sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may submit his vote by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a rollcall vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with eight votes in the affirmative, one of which must be cast by the Minority.

V. SUBCOMMITTEES

1. Any member of the Committee may sit with any Subcommittee during its hearings or any other meetings, but shall not have the authority to vote on any matter before the Subcommittee unless he is a member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship, and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the

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[1] Reaffirmed by the Committee on the Judiciary in executive session on March 19, 1987. Printed in the Congressional Record on April 2, 1987, pursuant to the Legislative Reorganization Act of 1970.

Committee or by the agreement of the Chairman and the Ranking Minority Member.

VI. ATTENDANCE RULES

1. From April 8, 1987, until April 8, 1988, official attendance at all Committee markups and executive sessions of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee markups and executive sessions shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and Ranking Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Member, in the case of Subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged. Amended version of Rules were printed in the Congressional Record on May 12, 1987.

TABULATION OF NOMINATIONS, BILLS AND RESOLUTIONS REFERRED TO THE COMMITTEE ON THE JUDICIARY

INTRODUCED AND REFERRED TO COMMITTEE

Public:	
Senate Bills	265
Senate Joint Resolutions	310
Senate Concurrent Resolutions	5
Senate Resolutions	26
Total Public	606
Private:	
Senate Bills (claims)	31
Senate Bills (immigration and nationality)	99
Total Private	130
Total Senate	**736**

PASSED HOUSE AND REFERRED TO COMMITTEE

Public:	
House Resolutions	69
House Joint Resolutions	78
House Concurrent Resolutions	2
Total Public	149
Private:	
House Bills	30
Total House	**179**
Total Bills	**915**

NOMINATIONS

Supreme Court Justices	2
U.S. Court of Appeals Judges	26
U.S. District Court Judges	80
U.S. Claims Court Judges	19

U.S. Attorneys	28
U.S. Department of Justice	13
U.S. Marshals	27
Commissions	6
Total Nominations	182

PUBLICATIONS ISSUED BY THE COMMITTEE

HEARINGS

Serial No. J-100-1—Authorization Legislation for the Department of Justice—Part 1.
Serial No. J-100-1—Authorization Legislation for the Department of Justice (Antitrust and Civil Divisions)—Part 2.
Serial No. J-100-1—Authorization Legislation for the Department of Justice (FBI, DEA, and Criminal Division)—Part 3.
Serial No. J-100-1—Authorization Legislation for the Department of Justice (Civil Rights Division and the Immigration and Naturalization Service)—Part 4.
Serial No. J-100-2—General Oversight on Patent and Trademark Issues.
Serial No. J-100-3—Refugee Crisis in Southern Africa.
Serial No. J-100-4—To Repeal or Revise the McCarran-Ferguson Act—S. 80 and S. 1299.
Serial No. J-100-5—Issues Confronting the Semiconductor Industry—S. 442.
Serial No. J-100-6—Legislation To Amend the Hart-Scott-Rodino Act—S. 431 and S. 432.
Serial No. J-100-7—Oversight Hearing on Mergers.
Serial No. J-100-8—Confirmation Hearings on Federal Appointments—Parts 1-4.
Serial No. J-100-9—The Industrial Innovation and Technology Act—S. 791.
Serial No. J-100-10—Airline Deregulation.
Serial No. J-100-11—The Retiree Benefits Security Act of 1987—S. 548.
Serial No. J-100-12—Fair Housing Amendments Act of 1987—S. 558.
Serial No. J-100-13—Copyright Issues Presented by Digital Audio Tape.
Serial No. J-100-14—Corporate Takeovers.
Serial No. J-100-15—Review of the Early Implementation of the Immigration Reform and Control Act of 1986.
Serial No. J-100-16—Drug Testing in the Workplace.
Serial No. J-100-17—Process Patent Legislation—S. 568, S. 573, S. 635.
Serial No. J-100-18—Retail Competition Enforcement Act—S. 430.
Serial No. J-100-19—Proposed Modifications to the AT&T Decree.
Serial No. J-100-20—Competitiveness and Antitrust.
Serial No. J-100-21—The Clayton Act Amendment of 1987—S. 443.
Serial No. J-100-22—National Narcotics Leadership Act of 1987—S. 789.
Serial No. J-100-23—Legal Issues That Arise When Color is Added to Films Originally Produced, Sold and Distributed in Black and White.
Serial No. J-100-24—Federal Courts Study Act—S. 951.
Serial No. J-100-25—Handgun Violence Prevention Act of 1987—S. 466.
Serial No. J-100-26—Temporary Safe Haven to Salvadorans—S. 332.
Serial No. J-100-27—Television Violence Antitrust Exemption—S. 844.
Serial No. J-100-28—Antitrust Remedies Improvement Act of 1987 and Antitrust Amendments Act of 1987—S. 1407, S. 635.
Serial No. J-100-29—Mid-Year Consultations of Refugee Programs.
Serial No. J-100-30—Voir Dire—S. 953, S. 954.
Serial No. J-100-31—Administrative Law Judge Corps Act—S. 950.
Serial No. J-100-32—Undetectable Firearms—S. 465.
Serial No. J-100-33—Malt Beverage Interbrand Competition—S. 567.
Serial No. J-100-34—Antitrust Implications of the Recent NFL Contract—S. Res. 291.
Serial No. J-100-35—Problems in the Airline Industry.
Serial No. J-100-36—Nomination of William S. Sessions To Be Director of the FBI.
Serial No. J-100-37—Farm Credit System.
Serial No. J-100-38—Sentencing Commission Guidelines.
Serial No. J-100-39—Intellectual Property Antitrust Protection Act—S. 438.
Serial No. J-100-40—Competitive Problems in the Pharmaceutical Drug Industry.
Serial No. J-100-41—Legal Immigration Reforms—S. 1611.

Serial No. J-100-42—Retirement and Survivor Annuities for Bankruptcy Judges and Magistrates Act of 1987—S. 1630.
Serial No. J-100-43—Proposed RICO Reform Legislation—S. 1523.
Serial No. J-100-44—Syndicated Television Music Copyright Reform Act—S. 698.
Serial No. J-100-45—Visual Artists Rights Act—S. 1619.
Serial No. J-100-46—Airline Computer Reservation Systems.
Serial No. J-100-47—The Performance of the Reagan Administration in nominating Women and Minorities to the Federal Bench.
Serial No. J-100-48—Legislation to Implement the Genocide Convention—S. 1851.
Serial No. J-100-49—Berne Convention—S. 1301, S. 1971.
Serial No. J-100-50—International Child Abduction Act—S. 1347.
Serial No. J-100-51—Judicial Immunity—S. 1482, S. 1512, S. 1515.
Serial No. J-100-52—U.S. Claims Court Improvement Act of 1987—S. 1608.
Serial No. J-100-53—Reauthorization of Programs to Provide Assistance to State and Local Law Enforcement and Reauthorization of the Juvenile Justice and Delinquency Prevention Program—S. 1250.
Serial No. J-100-54—Information and Competitiveness.
Serial No. J-100-55—Competitive Issues in the Cable Television Industry.
Serial No. J-100-56—Trademark Law Revision Act of 1987—S. 1883.
Serial No. J-100-57—Judicial Branch Improvements Act of 1987—S. 1482.
Serial No. J-100-58—Campaign Financing Reform.
Serial No. J-100-59—Balanced Budget Amendments.
Serial No. J-100-60—Implementation of Immigration Reform.
Serial No. J-100-61—The Federal Debt Collection Procedures Act—S. 1961.
Serial No. J-100-62—The Potential Impact of the U.S.-Canadian Free Trade Agreement on the American Steel Industry.
Serial No. J-100-63—Authorization Legislation and Oversight of the U.S. Department of Justice for Fiscal Year 1989 (DEA and FBI)—Part 1 (Civil, Criminal and Civil Rights Divisions)—Part 2.
Serial No. J-100-64—Nomination of Robert H. Bork to Associate Justice of the Supreme Court of the United States—Parts 1-5.
Serial No. J-100-65—Firearms Provisions—S. 1523.
Serial No. J-100-66—U.S.-Canada Free Trade Agreement.
Serial No. J-100-67—Nomination of Anthony M. Kennedy to be Associate Justice of the Supreme Court of the United States.
Serial No. J-100-68—High-Tech Terrorism.
Serial No. J-100-69—Volunteer Protection Act of 1987—S. 929.
Serial No. J-100-70—Rules Enabling Act.
Serial No. J-100-71—Alternative Dispute Resolution—S. 2274.
Serial No. J-100-72—Foreign Plaintiffs Bill—S. 1996.
Serial No. J-100-73—Drug Enforcement.
Serial No. J-100-74—Child Protection and Obscenity Enforcement Act and Pornography Victims Protection Act of 1987—S. 2033, S. 703.
Serial No. J-100-75—The American Bankruptcy Institute Survey—S. 1358, S. 1626, S. 1863, S. 2279.
Serial No. J-100-76—The McCarran-Ferguson Act—State Antitrust Action Against Insurance Agencies—S. 1299.
Serial No. J-100-77—Medical Malpractice Suits for Armed Services Personnel—S. 2490, H.R. 1054.
Serial No. J-100-78—General Aviation and Accident Liability Standards Act of 1988—S. 473.
Serial No. J-100-79—Hate Crimes Statistics Act of 1988—S. 702.
Serial No. J-100-80—Major Fraud Act and Government Fraud Law Enforcement Act of 1987—H.R. 3911, S. 1958.
Serial No. J-100-81—Department of Justice Oversight—Burns and Weld.
Serial No. J-100-82—Handgun Violence Prevention Act of 1987—S. 466.
Serial No. J-100-83—Nomination of Richard L. Thornburgh to be Attorney General of the United States.
Serial No. J-100-84—The Freedom of Information Act.
Serial No. J-100-85—To Amend Section 541 of the Bankruptcy Code—2161.
Serial No. J-100-86—Computer Software Rental Amendments Act of 1988.
Serial No. J-100-87—Consultation on Refugee Admissions for Fiscal Year 1989.
Serial No. J-100-88—Foreign Sovereign Immunity Act Amendments—H.R. 3763.
Serial No. J-100-89—Homeless Youth.

JOINT HEARINGS

March, 11, 26, and April 29, 1987, Committee on the Judiciary and Committee on Foreign Relations—Anti-Ballistic Missile Treaty and the Constitution.

November 4, 1987, Judiciary Subcommittee on Technology and the Law and the Committee on Agriculture, Nutrition, and Forestry—The Use and Regulation of Biotechnology in Agriculture.

SENATE REPORTS

100-49 Senate, May 4, 1987, S. 392, For the relief of Nabil Yaldo.

100-50 Senate, May 4, 1987, S. 393, For the relief of Emilie Santos.

100-51 Senate, May 4, 1987, S. 423, For the relief of Kil Joon Yu Callahan.

100-61 Senate, May 19, 1987, S. 806, Airline Competition Act of 1987.

100-66 Senate, June 9, 1987, S. 422, Semiconductor Chip Protection Act.

100-72 Senate, June 16, 1987, S. 938, Department of Justice Appropriation Authorization Act, Fiscal Years 1988 and 1989.

100-83 Senate, June 23, 1987, S. 1200, Process Patents Amendments Act of 1987.

100-88 Senate, June 25, 1987, S. 431, Amending the Hart-Scott-Rodino Anitrust Improvements Act of 1976.

100-89 Senate, June 25, 1987, S. 1068, Amending the Clayton Act Regarding Interlocking Directorates and Officers.

100-101 Senate, July 7, 1987, S. 237, Integrity in Post Employment Act of 1987.

100-114 Senate, July 17, 1987, S. 104, To grant a Federal charter to the National Academies of Practice.

100-115 Senate, July 17, 1987, S. 432, To amend the Clayton Act regarding mergers.

100-119 Senate, July 17, 1987, S. 548, Retiree Benefits Security Act of 1987.

100-213 Senate, November 4, 1987, S. 332, To provide for a General Accounting Office investigation and report on conditions of displaced Salvadorans, to provide certain rules of the House of Representatives and of the Senate with respect to review of the report, to provide for the temporary stay of detention and deportation of certain Salvadorans, and for other purposes.

100-263 Senate, December 16, 1987, S. 1134, To amend title 28, United States Code, to provide for the selection of the court of appeals to decide multiple appeals filed with respect to the same agency order.

100-277 Senate, January 27, 1988, S. 343, For the relief of Pandelis Perdikis.

100-278 Senate, January 27, 1988, S. 391, For the relief of Hyong Cha Kim Kay.

100-279 Senate, January 27, 1988, S. 1329, For the relief of Roswitha Starins.

100-280 Senate, February 1, 1988, S. 430, The Retail Competition Enforcement Act of 1987.

100-285 Senate, February 16, 1988, H.R. 3025, To grant the consent of the Congress to the Appalachian States Low-Level Radioactive Waste Compact.

100-290 Senate, February 26, 1988, S. 2104, Immigration Act of 1988.

100-293 Senate, February 29, 1988, S. 1630, To provide for retirement and survivors' annuities for bankruptcy judges and magistrates, and for other purposes.

100-294 Senate, March 2, 1988, S. 450, To recognize the organization known as the National Mining Hall of Fame and Museum.

100-295 Senate, March 2, 1988, S. 840, To recognize the organization know as the 82nd Airborne Division Association, Incorporated.

100-298 Senate, March 15, 1988, S. 1609, For the relief of James P. Purvis.

100-300 Senate, March 16, 1988, S. 952, To improve the administration of justice by providing greater discretion to the Supreme Court in selecting the cases it will review, and for other purposes.

100-324 Senate, April 27, 1988, S. 794, To amend chapter 13 of title 18, United States Code, to impose criminal penalties and provide a civil action for damage to religious property and for injury to persons in the free exercise of religious beliefs.

100-333 Senate, May 11, 1988, S. 1851, Genocide Convention Implementation Act of 1987.

100-347 Senate, May 19, 1988, S. 425, For the relief of Sukhjit kuldip Singh Saund.

100-348 Senate, May 19, 1988, S. 1583, For the relief of Maria Antonieta Heird.

100-349 Senate, May 19, 1988, S. 1842, For the relief of Mr. Wilhelm Jahn Schlechter, Mrs. Monico Pino Schlechter, Ingrid Daniela Schlechter, and Arturo David Schlechter.

100-350 Senate, May 19, 1988, S. 1972, For the relief of Irma Purisch and Daniel Purisch.

100-352 **Senate, May 20, 1988, S. 1301,** Berne Convention Implementation Act of 1987.

100-361 **Senate, May 25, 1988, S. 2201,** To make certain record rental provisions in title 17, United States Code, the Copyright Act, permanent.

100-365 **Senate, May 27, 1988, S. 844,** To exempt certain activities from provisions of the antitrust laws.

100-386 **Senate, June 17, 1988, S. 612,** To repeal a provision of Federal tort liability law relating to the civil liability of government contractors for certain injuries, losses of property, and deaths and for other purposes.

100-459 **Senate, August 8, 1988, S. 1523,** To amend chapter 96 of title 18, United States Code.

100-469 **Senate, August 9, 1988, S. 2605,** To amend the Immigration and Nationality Act to extend for 3 years the authorization of appropriations for refugee assistance, and for other purposes.

100-492 **Senate, September 7, 1988, S. 438,** To modify the application of the antitrust laws to encourage the licensing and other use of certain intellectual property.

100-503 **Senate, September 12, 1988, H.R. 3911,** To amend title 18, United States Code, to provide increased penalties for certain major frauds against the United States.

100-514 **Senate, September 15, 1988, S. 702,** To provide for the collection of data about crimes motivated by racial, religious or ethnic hatred.

100-515 **Senate, September 15, 1988, S. 1883,** To provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes.

100-521 **Senate, September 22, 1988, S. 951,** Entitled the "Federal Courts Study Act".

100-556 **Senate, September 28, 1988, S. 1515,** To prohibit injunctive relief, or an award of damages, against a judicial officer for action taken in an official capacity.

100-590 **Senate, October 6, 1988, S. 1867,** To amend title 28, United States Code, to make certain improvements with respect to the Federal court interpreter program, and for other purposes.

100-598 **Senate, October 19, 1988, S. 187,** To refer the bill (S. 966) for the relief of Frederick Paul to the Chief Judge of the United States Claims Court.

100-599 **Senate, October 21, 1988, S. 2361,** To preserve personal privacy with respect to the rental, purchase, or delivery of video tapes or similar audio visual materials.

CONFERENCE REPORTS

100-1072 **House, October 11, 1988, S. 1630,** To provide for retirement and survivor's annuities for bankruptcy judges and magistrates.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON THE JUDICIARY DURING THE 100TH CONGRESS

I. OVERVIEW

During the 100th Congress, the full Senate Judiciary Committee and its six subcommittees conducted more than 67 hearings on legislation. In addition, 45 oversight hearings and 103 nomination hearings were held. The committee met in executive session on 28 occasions.

Eight hundred and sixty-four Senate and House bills and resolutions were referred to the committee. In addition, 28 Judiciary Committee measures were placed directly on the Senate calendar. The committee reported to the full Senate 248 of the measures that were referred to it. In addition, the committee discharged another 80 measures.

The Senate passed 270 Judiciary Committee bills (including measures reported and discharged by the committee). Of those 270, 212 became public law. An additional 36 private relief bills became law.

The Judiciary Committee is one of 16 committees authorized to report legislation to the Senate. During the 100th Congress, more than 20 percent of the measures introduced in the Senate were referred to the committee and more than 30 percent of the public laws were measures reported or discharged by the committee.

II. PUBLIC LAWS

During the 100th Congress, 28 bills reported by the Committee on the Judiciary became public law.* They are:

Public Law 100-41 (S. 903), May 15, 1987, An Act to extend certain protections under title 11 of the United States Code, the Bankruptcy Code.

Public Law 100-99 (S. 1577), August 18, 1987, An Act to extend certain protections under title 11 of the United States Code, the Bankruptcy Code.

Public Law 100-159 (S. 442), November 9, 1987, An Act amending section 914 of title 17, United States Code, regarding certain protective orders.

Public Law 100-182 (S. 1822), December 7, 1987, An Act to make certain amendments to the Sentencing Reform Act of 1984, and to improve certain provisions relating to imposition and collection of criminal fines.

Public Law 100-185 (H.R. 3483), December 11, 1987, An Act to amend title 18, United States Code, to improve certain provisions relating to imposition and collection of criminal fines.

Public Law 100-236 (H.R. 1162), January 8, 1988, An Act to amend title 28, United States Code, to provide for the selection of the court of appeals to decide multiple appeals filed with respect to the same agency order.

Public Law 100-281 (S. 1397), April 6, 1988, An Act to recognize the organization known as the Non-Commissioned Officers Association of the United States of America.

*Other bills within the jurisdiction of the committee became public law. Those are discussed in subsequent sections of the report.

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Public Law 100-300 (H.R. 3971), April 29, 1988, An Act to establish procedures to implement the 1980 Hague Convention on the Civil Aspects of International Child Abduction, and for other purposes.

Public Law 100-319 (H.R. 3025), May 19, 1988, An Act to grant the consent of the Congress to the Appalachian States Low-Level Radioactive Waste Compact.

Public Law 100-346 (S. 794), June 24, 1988, An Act to amend chapter 13 of title 18, United States Code, to impose criminal penalties and provide a civil action for damage to religious property and for injury to persons in the free exercise of religious beliefs.

Public Law 100-352 (S. 952), June 28, 1988, An Act to improve the administration of justice by providing greater discretion to the Supreme Court in selecting the cases that it will review.

Public Law 100-506 (S. 1626), October 18, 1988, An Act to keep secure the rights of intellectual property licensors and licensees which come under the protection of title 11 of the United States Code, the Bankruptcy Code.

Public Law 100-568 (H.R. 4262), October 31, 1988, An Act to implement the Berne Convention.

Public Law 100-597 (S. 1863), November 3, 1988, An Act to amend the bankruptcy law to provide for special bonds.

Public Law 100-606 (S. 1851), November 4, 1988, An Act to implement the International Convention on the Prevention and Punishment of Genocide.

Public Law 100-609 (H.R. 2756), November 5, 1988, An Act to amend the Middle Atlantic Interstate Forest Fire Protection Compact, to include the State of Ohio.

Public Law 100-617 (S. 2201), November 5, 1988, An Act to make certain record rental provisions in title 17, United States Code, the Copyright Act, permanent.

Public Law 100-618 (S. 2361), November 5, 1988, An Act to amend title 18, United States Code, to preserve personal privacy with respect to the rental, purchase, or delivery of video tapes or similar audio visual materials.

Public Law 100-625 (H.R. 3146), November 7, 1988, An Act to clarify certain restrictions on distribution of advertisements and other information concerning lotteries and similar activities.

Public Law 100-640 (H.R. 1149), November 9, 1988, An Act to amend the Foreign Sovereign Immunities Act, to restrict damages in certain admiralty cases, and to grant U.S. courts jurisdiction over a foreign state in certain maritime cases.

Public Law 100-649 (H.R. 4445), November 10, 1988, An Act to amend title 18, United States Code, to prohibit certain firearms especially useful to terrorists.

Public Law 100-658 (H.R. 5115), November 15, 1988, An Act to amend the Immigration and Nationality Act to revise the numerical limitation and preference system for admission of independent immigrants, and for other purposes.

Public Law 100-659 (S. 1630), November 15, 1988, An Act to provide for retirement and survivors' annuities for bankruptcy judges and magistrates, and for other purposes.

Public Law 100-667 (S. 1883), November 16, 1988, An Act to amend the Act entitled "An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes".

Public Law 100-694 (H.R. 4612), November 18, 1988, An Act to amend title 28, United States Code, to provide for an exclusive remedy against the United States for suits based upon certain negligent or wrongful acts or omissions of United States employees committed within the scope of their employment, and for other purposes.

Public Law 100-700 (H.R. 3911), November 19, 1988, An Act to amend title 18, United States Code, to provide increased penalties for certain major frauds against the United States.

Public Law 100-702 (H.R. 4807), November 19, 1988, An Act to make certain improvements with respect to the Federal judiciary.

Public Law 100-703 (H.R. 4972), November 19, 1988, An Act to authorize appropriations for the Patent and Trademark Office in the Department of Commerce.

III. COMMEMORATIVES

During the 100th Congress, the Committee on the Judiciary processed 184 dates of observation that became public law. They are:

Public Law 100-3 (S.J. Res. 24), January 28, 1987, Joint Resolution designating January 28, 1987, as "National Challenger Center Day" to honor the crew of the space shuttle *Challenger*.

Public Law 100-5 (H.J. Res. 131), February 11, 1987, Joint Resolution congratulating Dennis Conner and the crew of *Stars and Stripes* for their achievement in winning the America's Cup.

Public Law 100-9 (S.J. Res. 20), March 12, 1987, Joint Resolution designating the month of March, 1987, as "Women's History Month".

Public Law 100-10 (S.J. Res. 46), March 12, 1987, Joint Resolution recognizing and acknowledging that February 14, 1987, will mark the 75th anniversary of Arizona statehood and designating the year 1987 as Arizona's Diamond Jubilee.

Public Law 100-13 (S.J. Res. 65), March 20, 1987, Joint Resolution designating the week of April 5, 1987, through April 11, 1987, as "National Know Your Cholesterol Week".

Public Law 100-15 (S.J. Res. 19), March 25, 1987, Joint Resolution designating March 20, 1987, as "National Energy Education Day."

Public Law 100-16 (S.J. Res. 63), March 27, 1987, Joint Resolution designating March 21, 1987, as "Afghanistan Day".

Public Law 100-19 (S.J. Res. 96), April 3, 1987, Joint Resolution designating April 3, 1987, as "Interstate Commerce Commission Day".

Public Law 100-21 (S.J. Res. 47), April 8, 1987, Joint Resolution to designate "National Former POW Recognition Day".

Public Law 100-22 (S.J. Res. 18), April 22, 1987, Joint Resolution authorizing and requesting the President to issue a proclamation designating June 1-7, 1987, as "National Fishing Week".

Public Law 100-23 (S.J. Res. 64), April 22, 1987, Joint Resolution designating May 1987 as "Older Americans Month".

Public Law 100-24 (S.J. Res. 74), April 22, 1987, Joint Resolution designating May 1987 as "National Cancer Institute Month".

Public Law 100-25 (H.J. Res. 200), April 22, 1987, Joint Resolution designating April 10, 1987, as "Education Day, U.S.A.".

Public Law 100-27 (H.J. Res. 119), April 21, 1987, Joint Resolution designating the week of April 19-25, 1987, as "National Minority Cancer Awareness Week".

Public Law 100-29 (S.J. Res. 58), April 29, 1987, Joint Resolution designating the month of April 1987 as "National Child Abuse Prevention Month".

Public Law 100-30 (S.J. Res. 89), April 29, 1987, Joint Resolution authorizing and requesting the President to issue a proclamation designating April 26-May 2, 1987, as "National Organ and Tissue Donor Awareness Week".

Public Law 100-31 (S.J. Res. 57), May 5, 1987, Joint Resolution designating the period May 3-10, 1987, as "National Older Americans Abuse Prevention Week".

Public Law 100-32 (S.J. Res. 67), May 5, 1987, Joint Resolution designating the month of May 1987, as "National Digestive Diseases Awareness Month".

Public Law 100-36 (S.J. Res. 55), May 12, 1987, Joint Resolution designating the week of May 10-16, 1987, as "National Osteoporosis Prevention Week of 1987".

Public Law 100-37 (S.J. Res. 124), May 12, 1987, Joint Resolution designating May 10-16, 1987, as "Just Say No to Drugs Week".

Public Law 100-39 (H.J. Res. 67), May 14, 1987, Joint Resolution authorizing and requesting the President to issue a proclamation designating May 3-10, 1987, as "Jewish Heritage Week".

Public Law 100-44 (H.J. Res. 290), May 23, 1987, Joint Resolution designating May 25, 1987, as "National Day of Mourning for the Victims of the U.S.S. *Stark*."

Public Law 100-46 (H.J. Res. 270), May 29, 1987, Joint Resolution recognizing the one hundred and twenty-fifth anniversary of the United States Department of Agriculture.

Public Law 100-49 (S.J. Res. 70), June 1, 1987, Joint Resolution Commemorating the fortieth anniversary of the Marshall Plan.

Public Law 100-52 (S.J. Res. 5), June 16, 1987, Joint Resolution designating June 14, 1987, as "Baltic Freedom Day".

Public Law 100-56 (H.J. Res. 106), June 23, 1987, Joint Resolution designating June 19, 1987, as "American Gospel Arts Day".

Public Law 100-57 (H.J. Res. 17), June 25, 1987, Joint Resolution designating the third week in June 1987 as "National Dairy Goat Awareness Week".

Public Law 100-58 (H.J. Res. 178), June 25, 1987, Joint Resolution designating June 25, 1987, as "National Catfish Day".

Public Law 100-61 (H.J. Res. 284), June 29, 1987, Joint Resolution designating the week beginning June 21, 1987, as "National Outward Bound Week".

Public Law 100-62 (S.J. Res. 86), June 29, 1987, Joint Resolution designating the week of November 8-14, 1987, as "National Food Bank Week".

Public Law 100-64 (S.J. Res. 117), July 6, 1987, Joint Resolution designating July 2, 1987, as "National Literacy Day".

Public Law 100-67 (H.J. Res. 181), July 10, 1987, Joint Resolution commemorating the bicentennial of the Northwest Ordinance of 1787.

Public Law 100-68 (S.J. Res. 15), July 10, 1987, Joint Resolution designating the month of November 1987 as "National Alzheimer's Disease Month".

Public Law 100-69 (S.J. Res. 51), July 10, 1987, Joint Resolution designating the period commencing on July 27, 1987, and ending on August 2, 1987, as "National Czech American Heritage Week".

Public Law 100-70 (S.J. Res. 75), July 10, 1987, Joint Resolution designating the week of August 2, 1987, through August 8, 1987, as "National Podiatric Medicine Week".

Public Law 100-73 (S.J. Res. 138), July 15, 1987, Joint Resolution designating July 13-26, 1987, as "U.S. Olympic Festival—'87 Celebration", and to designate July 17, 1987, as "U.S. Olympic Festival—'87 Day".

Public Law 100-75 (S.J. Res. 85), July 20, 1987, Joint Resolution designating the period August 2-8, 1987, as "International Special Olympics Week," and to designate August 3, 1987, as "International Special Olympics Day".

Public Law 100-76 (H.J. Res. 122), July 21, 1987, Joint Resolution designating the week beginning July 13, 1987, as "Snow White Week".

Public Law 100-78 (S.J. Res. 88), July 24, 1987, Joint Resolution designating the period commencing November 15, 1987, and ending November 21, 1987, as "Geography Awareness Week".

Public Law 100-79 (S.J. Res. 160), July 28, 1987, Joint Resolution designating July 25, 1987, as "Clean Water Day".

Public Law 100-81 (S.J. Res. 76), July 31, 1987, Joint Resolution designating the week of October 4, 1987, through October 10, 1987 as "Mental Illness Awareness Week".

Public Law 100-82 (S.J. Res. 151), August 4, 1987, Joint Resolution designating August 1, 1987, as "Helsinki Human Rights Day".

Public Law 100-87 (S.J. Res. 121), August 11, 1987, Joint Resolution designating August 11, 1987, as "National Neighborhood Crime Watch Day".

Public Law 100-88 (H.J. Res. 313), August 13, 1987, Joint Resolution designating the month of August 1987 as "National Child Support Enforcement Month".

Public Law 100-101 (S.J. Res. 44), August 18, 1987, Joint Resolution designating November 1987 as "National Diabetes Month".

Public Law 100-102 (S.J. Res. 49), August 18, 1987, Joint Resolution designating September 18, 1987, as "National POW/MIA Recognition Day".

Public Law 100-103 (S.J. Res. 87), August 18, 1987, Joint Resolution designating November 17, 1987, as "National Community Education Day".

Public Law 100-104 (S.J. Res. 108), August 18, 1987, Joint Resolution designating October 6, 1987, as "German-American Day".

Public Law 100-105 (S.J. Res. 109), August 18, 1987, Joint Resolution designating the week beginning October 4, 1987, as "National School Yearbook Week".

Public Law 100-106 (S.J. Res. 157), August 18, 1987, Joint Resolution designating the month of October 1987 as "Lupus Awareness Month".

Public Law 100-110 (H.J. Res. 335), August 20, 1987, Joint Resolution designating the period September 13-19, 1987, as "National Reye's Syndrome Week".

Public Law 100-114 (H.J. Res. 134), September 24, 1987, Joint Resolution designating the week of September 20-26, 1987, as "Emergency Medical Services Week".

Public Law 100-115 (S.J. Res. 22), September 24, 1987, Joint Resolution designating the period commencing September 21, 1987, and ending on September 27, 1987, as "National Historically Black Colleges Week".

Public Law 100-116 (H.J. Res. 224), September 28, 1987, Joint Resolution designating the week of September 14-20, 1987, as "Benign Essential Blepharospasm Awareness Week".

Public Law 100-118 (S.J. Res. 135), September 28, 1987, Joint Resolution designating October 1987 as "Polish American Heritage Month".

Public Law 100-124 (S.J. Res. 84), October 5, 1987, Joint Resolution designating October 1987 as "National Down Syndrome Month".

Public Law 100-125 (H.J. Res. 355), October 8, 1987, Joint Resolution designating September 27, 1987, as "Gold Star Mothers Day".

Public Law 100-126 (S.J. Res. 142), October 8, 1987, Joint Resolution designating October 1, 1987, as "National Medical Research Day".

Public Law 100-128 (S.J. Res. 72), October 14, 1987, Joint Resolution designating the week of October 11-17, 1987, as "National Job Skills Week".

Public Law 100-129 (S.J. Res. 110), October 14, 1987, Joint Resolution designating October 16, 1987, as "World Food Day".

Public Law 100-131 (H.J. Res. 338), October 15, 1987, Joint Resolution designating October 15, 1987, as "National Safety Belt Use Day".

Public Law 100-142 (H.J. Res. 234), October 28, 1987, Joint Resolution designating the month of November in 1987 and 1988 as "National Hospice Month".

Public Law 100-143 (S.J. Res. 163), October 28, 1987, Joint Resolution designating the month of Novemberr 1987, as "National Family Bread Banking Month".

Public Law 100-144 (S.J. Res. 168), October 28, 1987, Joint Resolution designating the week beginning October 25, 1987, as "National Adult Immunization Awareness Week".

Public Law 100-145 (S.J. Res. 198), October 28, 1987, Joint Resolution designating the week of November 2-8, 1987, as "National Tourette Syndrome Awareness Week".

Public Law 100-155 (S.J. Res. 171), November 6, 1987, Joint Resolution designating the week beginning November 8, 1987, as "National Women Veterans Recognition Week".

Public Law 100-161 (H.J. Res. 368), November 10, 1987, Joint Resolution designating the week of November 8-14, 1987, as "National Food Bank Week".

Public Law 100-163 (S.J. Res. 154), November 12, 1987, Joint Resolution designating the period of November 15-22, 1987, as "National Arts Week".

Public Law 100-164 (H.J. Res. 97), November 13, 1987, Joint Resolution recognizing the Disabled American Vietnam Veterans National Memorial as a memorial of national significance.

Public Law 100-165 (H.J. Res. 130), November 13, 1987, Joint Resolution designating the week beginning November 22, 1987, as "National Family Caregivers Week".

Public Law 100-166 (S.J. Res. 66), November 13, 1987, Joint Resolution designating the week of November 22-28, 1987, as "National Family Week".

Public Law 100-168 (S.J. Res. 174), November 17, 1987, Joint Resolution designating the week beginning November 15, 1987, as "African American Education Week".

Public Law 100-171 (S.J. Res. 53), November 19, 1987, Joint Resolution designating the period of November 22-28, 1987, as "American Indian Week".

Public Law 100-172 (S.J. Res. 97), November 19, 1987, Joint Resolution designating the week beginning November 22, 1987, as "National Adoption Week".

Public Law 100-176 (S.J. Res. 98), November 30, 1987, Joint Resolution designating the week of November 29, 1987, through December 5, 1987, as "National Home Health Care Week".

Public Law 100-183 (S.J. Res. 105), December 7, 1987, Joint Resolution designating December 7, 1987, as "National Pearl Harbor Remembrance Day".

Public Law 100-186 (S. 860), December 11, 1987, An Act to designate "The Stars and Stripes Forever" as the national march of the United States of America.

Public Law 100-188 (S.J. Res. 136), December 11, 1987, Joint Resolution to designate the week of December 13-19, 1987, as "National Drunk and Drugged Driving Awareness Week".

Public Law 100-189 (S.J. Res. 146), December 11, 1987, Joint Resolution designating January 8, 1988, as "National Skiing Day".

Public Law 100-190 (S.J. Res. 35), December 14, 1987, Joint Resolution relating to the commemoration of January 28, 1988, as a "National Day of Excellence".

Public Law 100-195 (H.J. Res. 199), December 18, 1987, Joint Resolution designating April 1988 as "Actors' Fund of America Appreciation Month".

Public Law 100-214 (H.J. Res. 255), December 24, 1987, Joint Resolution designating the third week in May 1988 as "National Tourism Week".

Public Law 100-243 (S.J. Res. 196), February 9, 1988, Joint Resolution designating February 4, 1988, as "National Women in Sports Day".

Public Law 100-244 (S.J. Res. 201), February 9, 1988, Joint Resolution designating January 28, 1988, as "National Challenger Center Day" to honor the crew of the space shuttle Challenger.

Public Law 100-245 (H.J. Res. 402), February 10, 1988, Joint Resolution designating the week of February 7-13, 1988, as "National Child Passenger Safety Awareness Week".

Public Law 100-246 (S.J. Res. 172), February 11, 1988, Joint Resolution designating the period of February 21-27, 1988, as "National Visiting Nurse Association Week".

Public Law 100-247 (S.J. Res. 39), February 11, 1988, Joint Resolution providing for the designation of the 69th anniversary of the renewal of Lithuanian Independence, February 16, 1988, as "Lithuanian Independence Day".

Public Law 100-248 (S.J. Res. 143), February 11, 1988, Joint Resolution designating April, 1988, as "Fair Housing Month".

Public Law 100-254 (S.J. Res. 122), February 29, 1988, Joint Resolution to designate the period October 18-24, 1987, as "Gaucher's Disease Awareness Week".

Public Law 100-256 (S.J. Res. 251), March 8, 1988, Joint Resolution designating March 4, 1988, as "Department of Commerce Day".

Public Law 100-257 (S.J. Res. 262), March 8, 1988, Joint Resolution designating the month of March 1988, as "Women's History Month".

Public Law 100-260 (S.J. Res. 126), March 23, 1988, Joint Resolution to designate March 16, 1988, as "Freedom of Information Day".

Public Law 100-261 (S.J. Res. 252), March 23, 1988, Joint Resolution designating June 5-11, 1988 as "National NHS-National Neighbor Works Week".

Public Law 100-262 (S.J. Res. 265), March 23, 1988, Joint Resolution designating March 20, 1988, as "National Agriculture Day".

Public Law 100-263 (S.J. Res. 125), March 24, 1988, Joint Resolution designating the period of May 9-15, 1988 as "National Stuttering Awareness Week".

Public Law 100-265 (S.J. Res. 265), March 23, 1988, Joint Resolution to designate March 20, 1988, as "National Agriculture Day".

Public Law 100-266 (S.J. Res. 218), March 25, 1988, Joint Resolution to designate March 25, 1988, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy".

Public Law 100-268 (S.J. Res. 229), March 28, 1988, Joint Resolution designating the day of April 1, 1988, as "Run to Daylight Day".

Public Law 100-269 (S.J. Res. 253), March 28, 1988, Joint Resolution designating April 9, 1988, as "National Former Prisoner of War Recognition Day".

Public Law 100-270 (S.J. Res. 244), March 29, 1988, Joint Resolution designating the month of April, 1988, as "National Know Your Cholesterol Month".

Public Law 100-272 (S.J. Res. 185), March 30, 1988, Joint Resolution to designate the period commencing on May 2, 1988, and ending on May 8, 1988, as "National Drinking Water Week".

Public Law 100-273 (S.J. Res. 255), March 30, 1988, Joint Resolution to authorize and request the President to issue a proclamation designating April 24 through April 30, 1988, as "National Organ and Tissue Donor Awareness Week".

Public Law 100-279 (H.J. Res. 470), April 6, 1988, Joint Resolution designating March 29, 1988, as "Education Day U.S.A.".

Public Law 100-282 (S.J. Res. 206), April 6, 1988, Joint Resolution to declare Dennis Chavez Day.

Public Law 100-286 (S.J. Res. 223), April 7, 1988, Joint Resolution to designate the period commencing on April 10, 1988, and ending on April 16, 1988, as "National Productivity Improvement Week".

Public Law 100-287 (S.J. Res. 245), April 7, 1988, Joint Resolution to designate April 21, 1988, as "John Muir Day".

Public Law 100-288 (S.J. Res. 260), April 7, 1988, Joint Resolution to designate the week beginning April 10, 1988, as "National Child Care Awareness Week".

Public Law 100-289 (H.J. Res. 513), April 12, 1988, Joint Resolution to designate April 6, 1988, as "National Student Athlete Day".

Public Law 100-291 (S.J. Res. 234), April 18, 1988, Joint Resolution designating the week of April 17, 1988, as "Crime Victims Week".

Public Law 100-292 (H.J. Res. 527), April 20, 1988, Joint Resolution to designate the week of April 17-24, 1988, as "Jewish Heritage Week".

Public Law 100-307 (S. 1378), May 5, 1988, An Act to provide for setting aside the first Thursday in May as the date on which the National Day of Prayer is celebrated.

Public Law 100-308 (S.J. Res. 222), May 5, 1988, Joint Resolution to designate the period of May 1-7, 1988, as "National Older Americans Abuse Prevention Week".

Public Law 100-309 (S.J. Res. 242), May 5, 1988, Joint Resolution designating the period of May 2-8, 1988, as "Public Service Recognition Week".

Public Law 100-312 (S.J. Res. 190), May 6, 1988, Joint Resolution authorizing and requesting the President to issue a proclamation designating June 6-12, 1988, as "National Fishing Week".

Public Law 100-314 (S.J. Res. 59), May 10, 1988, Joint Resolution designating the month of May 1988, as "National Foster Care Month".

Public Law 100-315 (S.J. Res. 250), May 10, 1988, Joint Resolution designating the week of May 8-14, 1988, as "National Osteoporosis Prevention Week of 1988".

Public Law 100-316 (S.J. Res. 212), May 12, 1988, Joint Resolution designating the period of May 8-14 1988, as "National Tuberous Sclerosis Awareness Week".

Public Law 100-317 (S.J. Res. 240), May 13, 1988, Joint Resolution designating the period of May 16-22 1988, as "National Safe Kids Week".

Public Law 100-320 (S.J. Res. 254), May 19, 1988, Joint Resolution to designate the period commencing on May 15, 1988, and ending on May 21, 1988, as "National Rural Health Awareness Week".

Public Law 100-328 (H.J. Res. 530), June 7, 1988, Joint Resolution designating May 1988, as "Take Pride in America Month".

Public Law 100-332 (H.J. Res. 469), June 14, 1988, Joint Resolution to designate June 1988, as "National Recycling Month".

Public Law 100-335 (S.J. Res. 266), June 16, 1988, Joint Resolution to designate the week beginning June 12, 1988, as "National Scleroderma Awareness Week".

Public Law 100-341 (H.J. Res. 423), June 22, 1988, Joint Resolution to designate the third week in June 1988, as "National Dairy Goat Awareness Week".

Public Law 100-343 (S.J. Res. 249), June 22, 1988, Joint Resolution designating June 14, 1988, as "Baltic Freedom Day".

Public Law 100-344 (S.J. Res. 147), June 23, 1988, Joint Resolution designating the week beginning on the third Sunday of September in 1987 and 1988 as "National Adult Day Care Center Week".

Public Law 100-359 (H.J. Res. 485), June 29, 1988, Joint Resolution designating June 26 through July 2, 1988, as "National Safety Belt Use Week".

Public Law 100-361 (H.J. Res. 587), July 1, 1988, Joint Resolution designating July 2 and 3, 1988 as "United States-Canada Days of Peace and Friendship".

Public Law 100-363 (S.J. Res. 304), July 7, 1988, Joint Resolution designating July 2, 1988 as "National Literacy Day".

Public Law 100-375 (S.J. Res. 318), July 26, 1988, Joint Resolution to designate the week of July 25-31, 1988, as the "National Week of Recognition and Remembrance for Those Who Served in the Korean War".

Public Law 100-376 (H.J. Res. 569), August 1, 1988, Joint Resolution designating June 12-18, 1988, as "Lyme Disease Awarness Week".

Public Law 100-377 (S.J. Res. 338), August 1, 1988, Joint Resolution to designate August 1, 1988, as "Helsinki Human Rights Day".

Public Law 100-385 (H.J. Res. 475), August 10, 1988, Joint Resolution to designate October 1988 as "Polish American Heritage Month".

Public Law 100-389 (S.J. Res. 40), August 11, 1988, Joint Resolution giving special recognition to the birth and achievements of Aldo Leopold.

Public Law 100-390 (S.J. Res. 248), August 11, 1988, Joint Resolution to designate the week of October 2-8, 1988, as "Mental Illness Awareness Week".

Public Law 100-391 (S.J. Res. 263), August 11, 1988, Joint Resolution to designate the period commencing November 13, 1988, and ending November 19, 1988, as "Geography Awareness Week".

Public Law 100-392 (S.J. Res. 273), August 11, 1988, Joint Resolution designating October 6, 1988, as "German-American Day".

Public Law 100-396 (S.J. Res. 294), August 16, 1988, Joint Resolution designating August 9, 1988, as "National Neighborhood Crime Watch Day".

Public Law 100-397 (S.J. Res. 350), August 16, 1988, Joint Resolution designating Labor Day Weekend, September 3-5, 1988, as "National Drive for Life Weekend".

Public Law 100-400 (H.J. Res. 138), August 17, 1988, Joint Resolution to authorize and request the President to issue a proclamation designating the third Sunday of August 1988 as "National Senior Citizen Day".

Public Law 100-401 (H.J. Res. 140), August 17, 1988, Joint Resolution designating August 12, 1988, as "National Civil Rights Day".

Public Law 100-402 (S. 2200), August 17, 1988, An Act to amend Public Law 90-498, to provide for the designation of "National Hispanic Heritage Month".

Public Law 100-405 (H.J. Res. 525), August 19, 1988, Joint Resolution to designate the month of November 1988 as "National Hospice Month".

Public Law 100-417 (H.J. Res. 417), August 22, 1988, Joint Resolution designating May 1989 as "Neurofibromatosis Awareness Month."

Public Law 100-422 (H.J. Res. 539), September 8, 1988, Joint Resolution designating the week beginning September 18, 1988, as "Emergency Medical Services Week".

Public Law 100-423 (H.J. Res. 583), September 8, 1988, Joint Resolution designating the week beginning September 11, 1988, as "National Outpatient Ambulatory Surgery Week".

Public Law 100-431 (H.J. Res. 453), September 15, 1988, Joint Resolution designating September 16, 1988, as "National POW/MIA Recognition Day".

Public Law 100-432 (S.J. Res. 295), September 15, 1988, Joint Resolution to provide for the designation of September 15, 1988, as "National D.A.R.E. Day".

Public Law 100-434 (S.J. Res. 328), September 16, 1988, Joint Resolution to designate the day of September 14, 1988, as "National Medical Research Day".

Public Law 100-445 (S.J. Res. 290), September 26, 1988, Joint Resolution to designate the period commencing September 25, 1988 and ending on October 1, 1988, as "National Historically Black Colleges Week".

Public Law 100-450 (S.J. Res. 322), September 28, 1988, Joint Resolution to designate the week of September 23-30, 1988, as "National American Indian Heritage Week".

Public Law 100-451 (S.J. Res. 336), September 28, 1988, Joint Resolution designating October 16, 1988, "World Food Day".

Public Law 100-455 (S.J. Res. 329), September 29, 1988, Joint Resolution to designate October 24-30, 1988, as "Drug Free America Week".

Public Law 100-466 (H.J. Res. 580), October 3, 1988, Joint Resolution to designate the month of September 1988, as "National Sewing Month".

Public Law 100-468 (S.J. Res. 169), October 3, 1988, Joint Resolution designating October 2, 1988, as national day of recognition for Mohandas K. Gandhi.

Public Law 100-469 (H.J. Res. 333), October 3, 1988, Joint Resolution to designate the week of October 9, 1988, through October 15, 1988, as "National Job Skills Week".

Public Law 100-484 (S.J. Res. 364), October 13, 1988, Joint Resolution to designate the week of October 2-8, 1988, as "National Paralysis Awareness Week".

Public Law 100-514 (H.J. Res. 488), October 20, 1988, Joint Resolution to designate the period November 6-12, 1988, as "National Women Veterans Recognition Week".

Public Law 100-548 (H.J. Res. 629), October 28, 1988, Joint Resolution to designate October 22, 1988, as "National Chester F. Carlson Recognition Day".

Public Law 100-593 (H.J. Res. 572), November 3, 1988, Joint Resolution to designate November 28 through December 2, 1988, as "Vocational-Technical Education Week".

Public Law 100-600 (S.J. Res. 280), November 3, 1988, Joint Resolution to designate the week of November 27, 1988, through December 3, 1988, as "National Home Care Week".

Public Law 100-601 (S.J. Res. 302), November 3, 1988, Joint Resolution to designate October 1988, as "National Down Syndrome Month".

Public Law 100-602 (S.J. Res. 324), November 3, 1988, Joint Resolution to designate February 1989, as "America Loves Its Kids Month".

Public Law 100-603 (S.J. Res. 335), November 3, 1988, Joint Resolution to designate the last full week of October, October 23 through October 29, 1988, as "National Adult Immunization Awareness Week".

Public Law 100-604 (S.J. Res. 381), November 3, 1988, Joint Resolution to designate October 30, 1988, as "Fire Safety at Home Day—Change Your Clock, Change Your Battery".

Public Law 100-620 (S.J. Res. 261), November 5, 1988, Joint Resolution designating the month of November 1988 as "National Alzheimer's Disease Month".

Public Law 100-621 (S.J. Res. 272), November 5, 1988, Joint Resolution to designate November 1988, as "National Diabetes Month".

Public Law 100-622 (S.J. Res. 306), November 5, 1988, Joint Resolution designating the day of August 7, 1988, as "National Lighthouse Day".

Public Law 100-623 (S.J. Res. 319), November 5, 1988, Joint Resolution to designate the period commencing November 6, 1988, and ending November 12, 1988, as "National Disabled Americans Week".

Public Law 100-624 (S.J. Res. 378), November 5, 1988, Joint Resolution designating the week of October 2 through 8, 1988, as "National Wild and Scenic Rivers Act Week".

Public Law 100-634 (S.J. Res. 301), November 7, 1988, Joint Resolution designating January 20, 1989, as "National Skiing Day".

Public Law 100-635 (S.J. Res. 342), November 7, 1988, Joint Resolution to designate the week of November 28 through December 5, 1988, as "National Book Week".

Public Law 100-643 (H.J. Res. 137), November 9, 1988, Joint Resolution to designate the month of May 1989 as "National Asparagus Month".

Public Law 100-655 (S.J. Res. 192), November 14, 1988, Joint Resolution to designate the month of October 1987, as "National AIDS Awareness and Prevention Month".

Public Law 100-661 (S.J. Res. 314), November 15, 1988, Joint Resolution designating October 1988 as "Pregnancy and Infant Loss Awareness Month".

Public Law 100-662 (S.J. Res. 315), November 15, 1988, Joint Resolution designating 1989 as "Year of the Young Reader".

Public Law 100-663 (S.J. Res. 340), November 15, 1988, Joint Resolution designating November 27 through December 3, 1988, as "National Sir Winston Churchill Recognition Week".

Public Law 100-664 (S.J. Res. 386), November 15, 1988, Joint Resolution to designate the week of June 18 through June 24, 1989, as "National Grasslands Week".

Public Law 100-671 (S.J. Res. 303), November 16, 1988, Joint Resolution to designate the month of October 1988, as "National Lupus Awareness Month".

Public Law 100-672 (S.J. Res. 325), November 16, 1988, Joint Resolution designating the third week in May as "National Tourism Week".

Public Law 100-681 (S.J. Res. 327), November 17, 1988, Joint Resolution commemorating January 28, 1989, as a "National Day of Excellence" in honor of the crew of the space shuttle Challenger.

Public Law 100-682 (S.J. Res. 332), November 17, 1988, Joint Resolution to designate the period commencing December 11, 1988, and ending December 17, 1988, as "National Drunk and Drugged Driving Awareness Week".

Public Law 100-683 (S.J. Res. 352), November 17, 1988, Joint Resolution designating September 24, 1989, as "United States Marshals Bicentennial Day".

Public Law 100-684 (S.J. Res. 365), November 17, 1988, Joint Resolution to designate January 28, 1988, as "National Challenger Center Day" to honor the crew of the space shuttle Challenger.

Public Law 100-686 (H.J. Res. 650), November 18, 1988, Joint Resolution designating April 1989, as "Actors Fund of America Appreciation Month".

IV. PRIVATE LAWS

During the 100th Congress, 36 private relief bills within the jurisdiction of the Committee on the Judiciary became law. They are:

Private Law 100-2 (S. 423), November 19, 1987, An Act for the relief of Kil Joon Yu Callahan.

Private Law 100-3 (H.R. 3295), November 23, 1987, An act for the relief of Nancy L. Brady.

Private Law 100-4 (H.R. 1191), December 22, 1987, An Act for the relief of Maria Helena Vas and Jose Maria Vas.

Private Law 100-5 (H.R. 1390), December 22, 1987, An Act for the relief of Chu Pei Yun (Zhu Bei Yun).

Private Law 100-7 (H.R. 1863), December 23, 1987, An Act for the relief of Helen Ying-Yu Lin.

Private Law 100-8 (H.R. 2819), April 12, 1988, An Act for the relief of Tracey McFarlane.

Private Law 100-9 (S. 1609), April 27, 1988, An Act for the relief of James P. Purvis.

Private Law 100-14 (S. 393), May 20, 1988, An Act for the relief of Emilie Santos.

Private Law 100-15 (H.R. 1386), May 30, 1988, An Act for the relief of Marsha D. Christopher.

Private Law 100-17 (H.R. 439), September 29, 1988, An Act for the relief of Thomas Wilson.

Private Law 100-18 (S. 425), October 3, 1988, An Act for the relief of Sukhjit Kuldip Singh Saund.

Private Law 100-19 (S. 1583), October 4, 1988, An Act for the relief of Maria Antonieta Heird.

Private Law 100-20 (S. 1972), October 4, 1988, An Act for the relief of Irma Purisch and Daniel Purisch.

Private Law 100-23 (S. 391), October 25, 1988, An Act for the relief of Hyong Cha Kim Kay.

Private Law 100-24 (H.R. 945), October 28, 1988, An Act for the relief of Allen H. Platnick.

Private Law 100-25 (H.R. 1275), October 28, 1988, An Act for the relief of Joyce G. McFarland.

Private Law 100-26 (H.R. 1385), October 28, 1988, An Act for the relief of Travis D. Jackson.

Private Law 100-27 (H.R. 1826), October 28, 1988, An Act for the relief of Natasha Susan Middelmann. Samantha Abigail Middelmann, Naomi Katrina Orloff Middelmann, and Hannah Emily Middelmann.

Private Law 100-28 (H.R. 3347), October 28, 1988, An Act for the relief of Bibianne Cyr.

Private Law 100-30 (H.R. 525), October 31, 1988, An Act for the relief of John M. Gill.

Private Law 100-31 (H.R. 3414), October 31, 1988, An Act for the relief of Meenakshiben P. Patel.

Private Law 100-32 (H.R. 1133), November 3, 1988, An Act for the relief of Thomas Nelson Flanagan.

Private Law 100-33 (H.R. 1490), November 3, 1988, An Act for the relief of Jean DeYoung.

Private Law 100-35 (S. 2637), November 8, 1988, An Act for the relief of Gillian Lesley Sackler.

Private Law 100-36 (S. 1919), November 8, 1988, An Act for the relief of Michael Wilding.

Private Law 100-37 (H.R. 1388), November 9, 1988, An Act for the relief of David Butler, Aldo Cirone, Richard Denisi, Warren Fallon, Charles Hotton, Harold Johnson, Jean Lavoie, Vincent Maloney, Austin Mortensen, and Kurt Olofsson.

Private Law 100-38 (H.R. 2109), November 9, 1988, An Act for the relief of Rosa Pratts.

Private Law 100-39 (H.R. 2461), November 9 1988, An Act for the relief of Mileno Mesin and Bozena Mesin.

Private Law 100-40 (H.R. 2511), November 9, 1988, An Act for the relief of Tarek Mohamad Mohmoud.

Private Law 100-41 (H.R. 3238), November 9, 1988, An Act for the relief of Maria Linda Sy Gonzalez.

Private Law 100-42 (H.R. 3917), November 9, 1988, An Act for the relief of Rajani Lal.

Private Law 100-43 (H.R. 441), November 10, 1988, An Act for the relief of the heirs of Master Sergeant Nathaniel Scott, U.S. Army.

Private Law 100-45 (712), November 10, 1988, An Act for the relief of Lawrence K. Lunt.

Private Law 100-46 (H.R. 1418), November 10, 1988, An Act for the relief of Rick Hangartner, Russell Stewart, and David Walden.

Private Law 100-47 (H.R. 2802), November 10, 1988, An Act for the relief of Fleurette Seidman.

Private Law 100-48 (S. 1842), November 16, 1988, An Act for the relief of Mr. Wilhelm Jahn Schlechter, Mrs. Monica Pino Schlechter, Ingrid Daniela Schlechter, and Arturo David Schlechter.

V. HEARINGS OF THE COMMITTEE

LEGISLATIVE HEARINGS

Feb. 26, 1987 (Antitrust, Monopolies and Business Rights) S. 432—To amend the Clayton Act regarding partnerships; S. 432—To amend the Clayton Act regarding mergers.

Feb. 26, 1987 (Technology and the Law) S. 442—To amend section 914 of title 17, United States Code, regarding certain protective orders.

Mar. 3, 1987 (Technology and the Law) S. 442—To amend section 914 of title 17, United States Code, regarding certain protective orders.

Mar. 26, 1987 (Patents, Copyrights and Trademarks) S. 791—Industrial Innovation and Technology Act of 1987.

Mar. 31, 1987 (Constitution) S. 558—Fair Housing Amendments Act of 1987.

Apr. 1, 24, 1987 (Courts and Administrative Practice) S. 548—Retiree Benefits Security Act of 1987.

Apr. 2, 7, 9, 1987 (Constitution) S. 558—Fair Housing Amendments Act of 1987.

Apr. 22, 1987 (Patents, Copyrights and Trademarks) S. 568—Process Patent Amendments Act of 1987; S. 573—Process Patent Act of 1987; S. 635—Omnibus Intellectual Property Rights Improvement Act of 1987.

Apr. 23, 1987 (Full Committee) S. 430—The Retail Competition Enforcement Act of 1987.

May 14, 1987 (Full Committee) S. 789—National Narcotics Leadership Act of 1987.

June 2, 1987 (Full Committee) S. 1299—To amend the McCarran-Ferguson Act to limit the Federal antitrust exemption of the business of insurance, to reaffirm the continued States regulation of the business of insurance, and for other purposes.

June 9, 1987 (Constitution) S. 558—Fair Housing Amendments Act of 1987.

June 15, 1987 (Courts and Administrative Practice) S. 951—To establish the Federal Courts Study Commission on the future of the Federal Judiciary.

June 16, 1987 (Constitution) S. 466—Handgun Violence Prevention Act of 1987.

June 18, 1987 (Immigration and Refugee Affairs) S. 332—To provide for the temporary stay of detention and deportation of certain nationals of El Salvador.

June 25, 1987 (Antritrust, Monopolies, and Business Rights) S. 844—To exempt certain activities from provisions of the antitrust laws.

June 30, 1987 (Antitrust, Monopolies, and Business Rights) S. 1407—Antitrust Remedies Improvement Act of 1987.

July 1, 1987 (Constitution) S. 558—Fair Housing Amendments Act of 1987.

July 17, 1987 (Courts and Administrative Practice) S. 953—To amend the Federal Rules of Civil Procedure with respect to the examination of prospective jurors.

July 17, 1987 (Courts and Administrative Practice) S. 954—To amend the Federal Rules of Criminal Procedure with respect to the examination of prospective jurors.

July 21, 1987 (Courts and Administrative Practice) S. 950—Administrative Law Judge Corps Act.

July 28, 1987 (Constitution) S. 465—To amend chapter 44, title 18, United States Code, to prohibit the manufacture, importation, sale, or possession of firearms, not detectable by metal detection and x-ray systems commonly used at airports in the United States.

Aug. 4, 1987 (Antitrust, Monopolies, and Business Rights) S. 567—Malt Beverage Interbrand Competition Act.

Oct. 6, 1987 (Antritrust, Monopolies, and Business Rights) S. Res. 291—To express the sense of the Senate that the Antitrust Division of the Department of Justice should study and report to the Congress on National Football League telecasting.

Oct. 20, 1987 (Joint Hearing) (Technology and the Law; Antritrust, Monopolies, and Business Rights) S. 438—Intellectual Property Antitrust Protection Act of 1987.

Oct. 23, 1987 (Immigration and Refugee Affairs) S. 1611—Immigration Act of 1987.

Oct. 28, 1987 (Courts and Administrative Practice) 1630—Retirement and Survivor Annuities for Bankruptcy Judges and Magistrates Act of 1987.

Oct. 29, 1987 (Full Committee) S. 1523—To revise the civil provisions of the Racketeer Influenced and Corrupt Organizations Act (RICO).

Nov. 10, 1987 (Full Committee) S. 1523—To revised the civil provisions of the Racketeer Influenced and Corrupt Organizations Act (RICO).

Nov. 10, 1987 (Patents, Copyrights and Trademarks) S. 698—Syndicated Television Music Copyright Reform Act of 1987.

Dec. 3, 1987 (Patents, Copyrights and Trademarks) S. 1619—Visual Artists Rights Act of 1987.

Dec. 11, 1987 (Immigration and Refugee Affairs) S. 1611—Immigration Act of 1997.

Feb. 18, 1988 (Patents, Copyrights and Trademarks) S. 1301—Berne Convention Implementation Act of 1987; S. 1971—To amend title 17 of the United States Code to implement the Berne Convention for the Protection of Literary and Artistic Works, as revised at Paris on July 24, 1971, and for other purposes.

Feb. 19, 1988 (Full Committee) S. 1851—Genocide Convention Implementation Act of 1987.

Feb. 23, 1988 (Courts and Administrative Practice) S. 1347—International Child Abuse Act.

Feb. 26, 1988 (Courts and Administrative Practice) S. 1482—Judicial Branch Improvements Act of 1987; S. 1512—To provide that in judicial actions against State judges, such judges shall not be held liable for attorney fees; S. 1515—To prohibit injunctive relief, or an award of damages, against a judicial officer for action taken in an official capacity.

Mar. 3, 1988 (Patents, Copyrights and Trademarks) S. 1301—Berne Convention Implementation Act; S. 1971—Berne Convention Implementation Act.

Mar. 4, 1988 (Courts and Administrative Practice) United States Claims Court Improvements Act of 1987.

Mar. 10, 1988 (Full Committee) (Field Hearing—Cleveland OH) S. 1250—To strengthen the criminal justice partnership between the States and the Federal Government.

Mar. 15, 1988 (Patents, Copyrights and Trademarks) Trademark Law Revision Act of 1987.

Mar. 17, 1988 (Constitution) S.J. Res. 21—Proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional, and Presidential elections; S.J. Res. 130—Proposing an amendment to the Constitution of the United States relative to limiting campaign expenditures; S.J. Res. 166—Proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional, Presidential, and State elections.

Mar. 18, 1988 (Courts and Administrative Practice) S. 1482—To make certain improvements with respect to the Federal Judiciary.

Mar. 23, 1988 (Constitution) S.J. Res. 3—Proposing an amendment to the Constitution relating to a Federal budget and tax limitation; S.J. Res. 4—Proposing an amendment to the Constitution relating to Federal budget procedures; S.J. Res. 8—Proposing an amendment to the Constitution altering Federal budget procedures; S.J. Res. 11—Proposing an amendment to the Constitution relating to Federal balanced budget; S.J. Res. 25—Proposing an amendment to the constitution relating to Federal budget procedures; S.J. Res. 50—Proposing an amendment to the Constitution of the United States to limit the expenditure of Government funds for any fiscal year to the projected revenue of the Government for that year and to limit the outstanding debt of the United States to 30 per centum of the projected national product; S.J. Res. 112—Proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by the Congress) the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 per centum of the gross national product of the United States during the previous calendar year; S.J. Res. 161—Proposing an amendment to the Constitution to provide for a balanced budget for the U.S. Government and for greater accountability in the enactment of tax legislation.

Mar. 31, 1988 (Antitrust, Monopolies and Business Rights) S. 1407—Antitrust Remedies Improvement Act of 1987.

Apr. 14, 1988 (Immigration and Refugee Affairs) S. 2275—To prohibit the payment of Federal benefits to illegal aliens; S. 972, S. 973, S. 974, S. 975—Bills relating to the apprehension, detention, and deportation of alien felons; S. 976—To provide a computer linkage between the Immigration and Naturalization Center.

Apr. 15, 1988 (Courts and Administrative Practice) Federal Debt Collection Procedures Act of 1988.

Apr. 25, 1988 (Full Committee) (Field Hearing—Tucson, AZ) S. 1250—To strengthen the cirminal justice partnership between the States and the Federal Government

May 13, 1988 (Full Committee) S. 1250—To strengthen the criminal justice partnership between the States and the Federal Government.

May 19, 1988 (Full Committee) S. 1523—To revise the civil provisions of the Racketeer Influenced and Corrupt Organizations Act (RICO), focusing on the firearms provisions.

May 20, 1988 (Courts and Administrative Practice) S. 929—Volunteer Protection Act of 1987.

May 25, 1988 (Courts and Administrative Practice) S. 1996—To grant U.S. district courts personal jurisdiction over citizens and subjects of foreign states in certain product liability actions.

May 25, 1988 (Courts and Administrative Practice) H.R. 2182—To make technical and conforming amendments to the Federal criminal code.

May 25, 1988 (Courts and Administrative Practice) S. 2274—To authorize and encourage Federal agencies to use mediation, arbitration, and other techniques for the prompt and informal resolution of disputes.

June 8, 1988 (Full Committee) S. 703—Pornography Victims Protection Act of 1987; S. 2033—To amend title 18, United States Code, with respect to child protection and obscenity enforcement, and for other purposes.

June 10. 1988 (Courts and Administrative Practice) S. 1626—To keep secure the rights of intellectual property licensors and licensees which come under the protection of title 11 of the United States Code, the Bankruptcy Code; S. 1358—To amend title 11, United States Code, the Bankruptcy Code, to clarify the transfer provisions; S. 1863—To amend the bankruptcy law to provide for special revenue bonds, and for other purposes; S. 2279—To amend title 11 of the United States Code, the Bankruptcy Code, regarding swap agreements.

June 14, 1988 (Antitrust, Monopolies and Business Rights) S. 1299—To amend the McCarran-Ferguson Act to limit the Federal antitrust exemption of the business of insurance, to reaffirm the continued State regulation of the business of insurance, and for other purposes.

June 17, 1988 (Courts and Administrative Practice) H.R. 1054—To allow members of the Armed Forces to sue the United States for damages for certain injuries caused by improper medical care.

June 21, 1988 (Constitution) S. 702, S.797, S. 2000—Bills to require the Attorney General to collect data and report annually on crimes motivated by racial, ethnic, or religious prejudice.

June 21, 1988 (Courts and Administrative Practice) S. 473—General Aviation Accident Liability.

July 12, 1988 (Full Committee) H.R. 3911—To provide increased penalties for certain major frauds against the United States; S. 1958—To establish within the Department of Justice regional government fraud investigative and prosecutive units.

Aug. 2, 1988 (Constitution) S. 466—Handgun Violence Prevention Act of 1987.

Aug. 3, 1988 (Joint Hearing) (Technology and the Law and House Subcommittee on Courts, Civil Liberties and the Administration of Justice) H.R. 4947—Video and Library Privacy Protection Act of 1988.

Aug. 10, 1988 (Courts and Administrative Practice) S. 2161—To exclude property interests in, or contract rights to, hydrocarbons and other minerals produced with hydrocarbons from a debtor's estate to the extent that such debtor has contractually transferred such interest or rights.

Oct. 5, 1988 (Full Committee) H.R. 3763—To clarify the statutory definition of "commercial activity" to ensure that promises made by foreign states in commercial agreements are enforceable in the U.S. courts, to confirm the jurisdiction of the courts to enforce arbitration agreements made by foreign states, and to authorize execution of judgments and arbitral awards against the commercial property of foreign states.

OTHER HEARINGS

Feb. 4, 5, 19, 1987 (Full Committee) Oversight hearings on the President's proposed budget request for fiscal year 1988 for the Department of Justice, focusing on the Immigration and Naturalization Service.

Feb. 5, 1987 (Immigration and Refugee Affairs) Oversight hearing to review the refugee crisis in southern Africa.

Feb. 17, 1987 (Patents, Copyrights and Trademarks) Oversight hearing on patent and trademark issues, focusing on systems for protecting patent and intellectual property rights.

Mar. 3, 4, 10, 1987 (Full Committee) Oversight hearings on the President's proposed budget request of fiscal year 1988 for the Department of Justice.

Mar. 11, 1987 (Antitrust, Monopolies and Business Rights) Oversight hearing on mergers and acquisitions, focusing on the role of the Department of Justice in enforcing the antitrust laws with rspect to such transactions.

Apr. 2, 1987 (Antitrust, Monopolies and Business Rights) Oversight hearing to review corporate takeovers, focusing on proposals for reform of existing Federal regulation of tender offers.

Apr. 2, 1987 (Joint Hearing) (Patents, Copyrights and Trademarks and House Subcommittee on Courts, Civil Liberties and the Administration of Justice) Oversight hearing to review copyright issues presented by the effect that the Japanese-made digital audio tape could have on the U.S. recording industry.

Apr. 7, 1987 (Full Committee) Nominations of Ronald S.W. Lew, to be U.S. District Judge for the Central District of California; Wilkes C. Robinson, to be Judge of the U.S. Claims Court; Bohdan A. Futey, to be Judge of the U.S. Claims Court.

Apr. 9, 1987 (Full Committee) Oversight hearing to review the implications of random alcohol and drug testing in the work place.

Apr. 10, 1987 (Immigration and Refugee Affairs) Oversight hearing on the implementation of the Immigration Reform and Control Act.

Apr. 28, 1987 (Full Committee) Nominations of Michael S. Kanne, to be U.S. Circuit Judge for the Seventh Circuit; James H. Alesia, to be U.S. District Judge for the Northern District of Illinois; Joseph P. Stadtmueller, to be U.S. District Judge for the Eastern District of Wisconsin; and Roger B. Andewelt, of the District of Columbia, to be Judge of the U.S. Claims Court.

Apr. 29, 1987 (Joint Hearing) (Committee on the Judiciary and Committee on Foreign Relations) Anti-Ballistic Missile Treaty and the Constitution.

Apr. 30, 1987 (Antitrust) Oversight hearings to review Department of Justice recommendations concerning the line-of-business restrictions imposed on the Bell Operating Companies by the 1982 consent decree entered in the government's antitrust case against AT&T.

May 6, 7, 1987 (Full Committee) Oversight hearings to examine whether the antitrust laws and antitrust enforcement policy should be modified to enhance the competitiveness of American firms.

May 12, 1987 (Technology and the Law) Oversight hearing to review legal issues that arise when color is added to films originally produced, sold and distributed in black and white.

May 13, 1987 (Full Committee) Nominations of Haldane R. Mayer, of Virginia, to be U.S. Circuit Judge for the Federal Circuit; Layn R. Phillips, to be U.S. District Judge for the Western District of Oklahoma; and Royce C. Lamberth, of Virginia, to be U.S. District Judge for the District of Columbia.

May 13, 1987 (Full Committee) Oversight hearing to discuss certain legal and constitutional issues surrounding an effective employee drug testing program in the Federal workplace.

May 20, 1987 (Full Committee) Nominations of Richard B. Abell, of Virginia, to be an Assistant Attorney General; and Verne L. Speirs, of Virginia, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention, both of the Department of Justice.

May 28, 1987 (Full Committee) Nomination of Charles F. Rule, of the District of Columbia, to be an Assistant Attorney General.

June 3, 1987 (Full Committee) Nominations of James T. Turner, of Virginia, to be a Judge of the U.S. Claims Court; Robert F. Kelly, to be U.S. District Judge for the Eastern District of Pennsylvania; Philip M. Pro, to be U.S. District Judge for the District of Nevada; and Robert H. Bell, to be U.S. District Judge for the Western District of Michigan.

June 18, 1987 (Full Committee) Nominations of Larry J. McKinney, to be U.S. District Judge for the Southern District of Indiana; David G. Larimer, to be U.S. District Judge for the Western District of New York.

June 30, 1987 (Immigration and Refugee Affairs) Oversight hearing on the Administration's proposed regional refugee admissions level for 1987.

July 21, 1987 (Full Committee) Nominations of Jerry E. Smith, to be U.S. Circuit Judge for the Fifth Circuit; William D. Hutchinson, to be U.S. Circuit Judge for the Third Circuit; Anthony J. Scirica, to be U.S. Circuit Judge for the Third Circuit; John D. Tinder, to be U.S. District Judge for the Southern District of Indiana; Charles R. Wolle, to be U.S. District Judge for the Southern District of Iowa; and T.S. Ellis III, to be U.S. District Judge for the Eastern District of Virginia.

Aug. 6, 1987 (Full Committee) Nomination of Susan W. Liebeler, of California, to be U.S. Circuit Judge of the U.S. Court of Appeals for the Federal Circuit.

Aug. 10, 1987 (Antitrust, Monopolies and Business Rights) (Field Hearing—Columbus, OH) Oversight hearing on problems in the airline industry.

Aug. 26, 1987 (Courts and Administrative Practice) (Field Hearing—Des Moines, IA) Oversight hearing on the farm credit system.

Sept. 9, 1987 (Full Committee) Nomination of William S. Sessions, of Texas, to be Director, Federal Bureau of Investigation, Department of Justice.

Sept. 11, 1987 (Full Committee) Nominations of William L. Dwyer, to be U.S. District Judge for the Western District of Washington; James A. Parker, to be U.S. District Judge for the District of New Mexico; William L. Standish, to be U.S. District Judge for the Western District of Pennsylvania; and Ernest C. Torres, to be U.S. District Judge for the District of Rhode Island.

Sept. 15, 16, 17, 18, 19, 21, 22, 23, 25, 28, 29, 30, 1987 (Full Committee) Nomination of Robert H. Bork, of the District of Columbia, to be an associate Justice of the Supreme Court of the United States.

Oct. 20, 1987 (Full Committee) Nominations of Robert E. Cowen, of New Jersey, to be U.S. Circuit Judge for the Third Circuit; Michael B. Mukasey, to be U.S. District Judge for the Southern District of New York; and George C. Smith, to be U.S. District Judge for the Southern District of Ohio.

Oct. 21, 1987 (Antitrust, Monopolies, and Busines Rights) Oversight hearing to examine competitive practices within the pharmaceutical drug industry.

Oct. 22, 1987 (Full Committee) Oversight hearing to review new Federal sentencing guidelines and proposals to delay implementing the guidelines.

Oct. 22, 1987 (Full Committee) Nominations of William L. Dwyer, to be U.S. District Judge for the Western District of Washington; and R. Kenton Musgrave, of California, to be a Judge of the U.S. Court of International Trade.

Oct. 26, 1987 (Full Committee) Nomination of Clarence A. Beam, of Nebraska, to be U.S. Circuit Judge for the Eighth Circuit; Nicholas H. Politan, to be U.S. District Judge for the District of New Jersey; and Rodney S. Webb, to be U.S. District Judge for the District of North Dakota.

Nov. 3, 1987 (Full Committee) Nomination of Susan W. Liebeler, of California, to be a U.S. Circuit Judge for the Court of Appeals for the Federal Circuit.

Nov. 4, 1987 (Joint Hearing) (Judiciary Subcommittee on Technology and the Law and the Committee on Agriculture, Nutrition, and Forestry) Oversight hearing on the use and regulation of biotechnology in agriculture.

Nov. 5, 1987 (Full Committee) Nominations of Franklin S. Van Antwerpen, to be U.S. District Judge for the Eastern District of Pennsylvania; Jerome Turner, to be U.S. District Judge for the Western District of Tennessee; and Bernard H. Siegan, of California, to be U.S. Circuit Judge for the Ninth Circuit.

Nov. 13, 1987 (Full Committee) Nominations of Robert N. Miller, to be U.S. District Judge for the District of Colorado; Stephen S. Trott, of Virginia, to be U.S. Circuit Judge for the Ninth Circuit; Alfred M. Wolin, to be U.S. District Judge for the District of New Jersey; and Sam R. Cummings, to be U.S. District Judge for the Northern District of Texas.

Nov. 17, 1987 (Full Committee) Nominations of Robert S. Gawthrop III, to be U.S. District Judge for the Eastern District of Pennsylvania; Dean Whipple, to be U.S. District Judge for the Western District of Missouri; Edward F. Harrington, to be U.S. District Judge for the District of Massachusetts; and William S. Rose, Jr., of South Carolina, to be an Assistant Attorney General.

Dec. 9, 1987 (Full Committee) Nominations of Kenneth Conboy, to be U.S. District Judge for the Southern District of New York; and Edward F. Harrington, to be U.S. District Judge for the District of Massachusetts.

Dec. 10, 1987 (Antitrust, Monopolies and Business Rights) Oversight hearing to examine the current status of the airline computer reservation systems.

Dec. 14, 15, 16, 1987 (Full Committee) Nomination of Anthony M. Kennedy, of California, to be an Associate Justice of the Supreme Court of the United States.

Jan. 27, 1988 (Full Committee) Nominations of Wade Brorby, of Wyoming, to be U.S. Circuit Judge for the Tenth Circuit; Suzanne B. Conlon, to be U.S. District Judge for the Northern District of Illinois; Richard J. Arcara, to be U.S. District Judge for the Western District of New York; and Paul V. Niemeyer, to be U.S. District Judge for the District of Maryland.

Feb. 2, 1988 (Full Committee) Oversight hearing to review the Administration's performance in nominating women and minorities as judicial appointees.

Feb. 17, 1988 (Full Committee) Nominations of Paul R. Michel, of Virginia, to be U.S. Circuit Judge for the Federal Circuit; Malcolm J. Howard, to the U.S. District Judge for the Eastern District of North Carolina; Rudy Lozano, to be U.S. District Judge for the Northern District of Indiana; and Stephen M. Reasoner, to be U.S. District Judge for the Eastern District of Arkansas.

Feb. 25, 1988 (Full Committee) Nomination of Bernard H. Siegan, of California, to be U.S. Circuit Judge for the Ninth Circuit.

Feb. 29, 1988 (Full Committee) Nominations of Emmett Ripley Cox, of Alabama, to be U.S. Circuit Judge for the Eleventh Circuit; Kenneth M. Hoyt, to be U.S. District Judge for the Southern District of Texas; George M. Marovich, to be U.S. District Judge for the Northern District of Illinois; and Roger J. Marzulla, of California, to be Assistant Attorney General, Department of Justice.

Mar. 16, 1988 (Technology and the Law) Oversight hearing to review the restrictions on the flow of scientific and technical information imposed for national security reasons.

Mar. 17, 1988 (Antitrust, Monopolies and Business Rights) Oversight hearing to discuss competitive issues affecting the cable television industry.

Mar. 24, 1988 (Full Committee) Nominations of David M. Ebel, of Colorado, to be U.S. Circuit Judge for the Tenth Circuit; Lowell A. Reed, to be U.S. District Judge for the Eastern District of Pennsylvania; Kimba M. Wood, to be U.S. District Judge for the Southern District of New York; and Jack T. Camp, Jr., to be U.S. District Judge for the Northern District of Georgia.

Mar. 28, 1988 (Full Committee) Nominations of Bernard A. Friedman, to be U.S. District Judge for the Eastern District of Michigan; Emilio M. Garza, to be U.S. District Judge for the Western District of Texas; and Thomas S. Zilly, to be U.S. District Judge for the Western District of Washington.

Apr. 14, 1988 (Immigration and Refugee Affairs) Oversight hearing on proposed legislation authorizing funds for fiscal year 1989 for the Immigration and Naturalization Service, on the implementation of the Immigration Reform and Control Act.

Apr. 21, 1988 (Full Committee) Nominations of Stuart A. Summit, of New York, to be U.S. Circuit Judge for the Second Circuit; Robert Roberto, Jr., and Howard E. Levitt, each to be a U.S. District Judge for the Eastern District of New York.

Apr. 28, 1988 (Full Committee) Nominations of David A. Ezra, to be U.S. District Court Judge for the District of Hawaii; Shannon T. Mason, Jr., to be U.S. District Judge for the Eastern District of Virginia; John C. Lifland, to be U.S. District

Judge for the District of New Jersey; and Grace Flores-Hughes, of Washington, D.C., to be Director of the Community Relations Service.

May 11, 1988 (Joint Hearing) (Antitrust, Monopolies and Business Rights and the Senate Steel Caucus) Oversight hearing in conjunction with the Senate Steel Caucus on the United States-Canada Free Trade Agreement, signed on January 2, 1988, to provide increased economic activity, higher trade levels, jobs, and enhance competitiveness for the United States and Canada.

May 12, 17, 20, 24, 26, 1988 (Full Committee) Oversight hearing on proposed legislation authorizing funds for fiscal year 1989 for the Department of Justice.

May 16, 1988 (Full Committee) Nominations of William H. Erickson, to be U.S. District Judge for the District of Colorado; Simeon T. Lake III, to be U.S. District Judge for the Southern District of Texas; Richard A. Schell, to be U.S. District Judge for the Eastern District of Texas; and William G. Cambridge, to be U.S. District Judge for the District of Nebraska.

May 19, 1988 (Technology and the Law) Oversight hearing to discuss the assessment of the threat presented by high technology terrorism and the Government's response to that threat, focusing on the use of sophisticated technologies to conduct terrorist attacks, the use of weapons of mass destruction, including nuclear, biological or chemical weapons, and the vulnerability of the United States' infrastructure networks to terrorist attack.

May 20, 1988 (Full Committee) Oversight hearing on the U.S.-Canada Free Trade Agreement, signed on January 2, 1988, to provide increased economic activity, higher trade levels, jobs, and enhanced competitiveness for U.S. and Canada.

June 13, 1988 (Full Committee) Nomination of Vaughn R. Walker to be U.S. District Judge for the Northern District of California.

June 14, 1988 (Full Committee) Oversight hearing to review strategies for preventing and reducing drug and other substance abuse through law-related education programs.

June 21, 1988 (Full Committee) Nominations of Fern M. Smith, to be U.S. District Judge for the Northern District of California; and Jan E. DuBois, to be U.S. District Judge for the Eastern District of Pennsylvania.

June 22, 1988 (Full Committee) Nominations of Paul V Gadola, to be U.S. District Judge for the Eastern District of Michigan; and Richard L. Voorhees, to be U.S. District Judge for the Western District of North Carolina.

June 29, 1988 (Full Committee) Nominations of Donald E. Abram, to be U.S. District Judge for the District of Colorado; Karl S. Forester, to be U.S. District Judge for the Eastern District of Kentucky; and Charles R. Butler, Jr., to be U.S. District Judge for the Southern District of Alabama.

July 27, 1988 (Full Committee) Nominations of Francis A. Keating II, of Oklahoma, to be Associate Attorney General; Edward S.G. Dennis, Jr., of Pennsylvania, to be an Assistant Attorney General; Herbert J. Hutton, to be U.S. District Judge for the Eastern District of Pennsylvania; Robert P. Patterson, Jr., to be U.S. District Judge for the Southern District of New York; Simeon T. Lake III, to be U.S. District Judge for the Southern District of Texas; and Randall R. Rader, of Virginia, to be a Judge of the U.S. Claims Court.

July 28, 1988 (Full Committee) Nomination of Harold G. Christensen, of Utah, to be Deputy Attorney General, Department of Justice.

Aug. 2, 1988 (Technology and the Law) Oversight hearing on the implementation of the Freedom of Information Act.

Aug. 5, 1988 (Full Committee) Nomination of Richard L. Thornburgh, of Pennsylvania, to be Attorney General, Department of Justice.

Aug. 9, 1988 (Full Committee) Nominations of John M. Duhe, Jr., of Louisiana, to be U.S. Circuit Court Judge for the Fifth Circuit; James R. McGregor, to be U.S. District Judge for the Western District of Pennsylvania; Norwood C. Tilley, Jr., to be U.S. District Judge for the Middle District of North Carolina; and Lewis T. Babcock, to be U.S. District Judge for the District of Colorado.

Aug. 10, 1988 (Full Committee) Nominations of Alex R. Munson, to be a Judge of the District Court for the Northern Mariana Islands; and Richard L. Nygaard, of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit.

Aug. 24, 1988 (Patents, Copyrights and Trademarks) (Field Hearing—Provo, UT) Oversight hearing concerning the Computer Software Rental Amendments Act of 1988.

Sept. 8, 1988 (Full Committee) Nominations of Thomas M. Boyd, of Virginia, and Douglas W. Kmiec, of Indiana, each to be an Assistant Attorney General, Department of Justice.

Sept. 13, 1988 (Full Committee) Oversight hearing to review refugee admission levels for fiscal year 1989.

Sept. 15, 1988 (**Technology and the Law**) Oversight hearing to discuss the assessment of the threat presented by high-technology terrorism and the Government's response to that threat.

Oct. 4, 1988 (**Full Committee**) Nominations of Robert L. Jordan, to be U.S. District Judge for the Eastern District of Tennessee; Richard L. Nygaard, of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit; Jay C. Waldman, to be U.S. District Judge for the Eastern District of Pennsylvania; and D. Brooks Smith, to be U.S. District Judge for the Western District of Pennsylvania.

Dec. 1, 1988 (**Constitution**) (**Field Hearing—Chicago, IL**) Oversight hearing on the problems of homeless youth.

VI. NOMINATIONS AND CONFIRMATIONS

During the 100th Congress, the committee received 194 executive nominations for the following positions: two for U.S. Supreme Court Justice, 26 for U.S. Circuit Judgeships, 81 for U.S. District Court judgeships, six for U.S. Claims Court judgeships, one for Attorney General, seven for Assistant Attorney General, one for Deputy Attorney General, one for Associate Attorney General, 28 for U.S. Attorney, 27 for U.S. Marshal, one for Director of the Federal Bureau of Investigation, one for Administrator of the Office of Juvenile Justice and Delinquency Prevention, one to be special counsel for Immigration-Related Unfair Employment Practices, two for membership on the U.S. Foreign Claims Settlement Commission, one for chairman of the U.S. Foreign Claims Settlement Commission, one for Assistant Commissioner of Patents and Trademarks, five for membership on the Board of Directors of the State Justice Institute, and one for Director of Community Relations Service. Five nominations were withdrawn by the President and four nominations were returned to the President.

The committee held 103 hearings on nominations. Of the 194 executive nominations received by the committee, 163 were confirmed by the full Senate, 17 remained standing before the committee, three remained on the executive calendar, five were withdrawn, four were returned to the President under Senate Rule 31, one nomination was defeated in committee and one nomination was rejected.

The following nominations were considered by the committee during the 100th Congress:

U.S. SUPREME COURT JUSTICES

BORK, ROBERT H., of the District of Columbia, to be an Associate Justice of the Supreme Court of the United States, vice Lewis F. Powell, Jr., retired.

July 7, 1987—Referred.
Sept. 15, 1987—Full Committee hearing.
Sept. 16, 1987—Full Committee hearing.
Sept. 17, 1987—Full Committee hearing.
Sept. 18, 1987—Full Committee hearing.
Sept. 19, 1987—Full Committee hearing.
Sept. 21, 1987—Full Committee hearing.
Sept. 22, 1987—Full Committee hearing.
Sept. 23, 1987—Full Committee hearing.
Sept. 25, 1987—Full Committee hearing.
Sept. 28, 1987—Full Committee hearing.
Sept. 29, 1987—Full Committee hearing.
Sept. 30, 1987—Full Committee hearing.
Oct. 6, 1987—Disapproved by the Committee and ordered unfavorably reported. (Vote 9-5)

Oct. 13, 1987—Reported to the Senate by Mr. Biden with the recommendation that nomination be rejected (with supplemental and minority views) (Exec. Rept. No. 100-7).
Oct. 23, 1987—Rejected by the Senate. (Vote 58-42)

KENNEDY, ANTHONY M., of California, to be an Associate Justice of the Supreme Court of the United States, vice Lewis F. Powell, Jr., retired.
Nov. 30, 1987—Referred.
Dec. 14, 1987—Full Committee hearing.
Dec. 15, 1987—Full Committee hearing.
Dec. 16, 1987—Full Committee hearing.
Jan. 27, 1988—Approved by the Committee and ordered favorably reported. (Vote 14-0)
Feb. 1, 1988—Reported to the Senate by Mr. Biden (with additional and supplemental views) (Exec. Rept. No. 100-13).
Feb. 3, 1988—Confirmed by the Senate. (Vote 97-0)

U.S. COURT OF APPEALS JUDGES

BEAM, CLARENCE A., of Nebraska, to be U.S. Circuit Judge for the Eighth Circuit, vice Donald R. Ross, retired.
July 1, 1987—Referred.
Oct. 26, 1987—Full Committee hearing.
Nov. 5, 1987—Approved by the Committee and ordered favorably reported.
Nov. 5, 1987—Reported to the Senate by Mr. Biden.
Nov. 6, 1987—Confirmed by the Senate.

BRORBY, WADE, of Wyoming, to be U.S. Circuit Judge for the 10th Circuit, vice James E. Barrett, retired.
Aug. 7, 1987—Referred.
Jan. 27, 1988—Full Committee hearing.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 16, 1988—Confirmed by the Senate.

COWEN, ROBERT E., of New Jersey, to be U.S. Circuit Judge for the Third Circuit, vice James Hunter III, retired.
Aug. 7, 1987—Referred.
Oct. 20, 1987—Full Committee hearing.
Nov. 5, 1987—Approved by the Committee and ordered favorably reported.
Nov. 5, 1987—Reported to the Senate by Mr. Biden.
Nov. 6, 1987—Confirmed by the Senate.

COX, EMMETT RIPLEY, of Alabama, to be U.S. Circuit Judge for the 11th Circuit, vice John C. Godbold, retired.
Dec. 19, 1987—Referred.
Feb. 29, 1988—Full Committee hearing.
Mar. 24, 1988—Approved by the Committee and ordered favorably reported.
Mar. 24, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Apr. 15, 1988—Confirmed by the Senate.

DUHE, JOHN M., JR., of Louisiana, to be U.S. Circuit Judge for the Fifth Circuit, vice Albert Tate, Jr., deceased.
June 27, 1988—Referred.
Aug. 9, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

EBEL, DAVID, of Colorado, to be U.S. Circuit Judge for the 10th Circuit, vice William E. Doyle, retired.
Dec. 18, 1987—Referred.
Mar. 24, 1988—Full Committee hearing.
Apr. 14, 1988—Approved by the Committee and ordered favorably reported.
Apr. 15, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Apr. 19, 1988—Confirmed by the Senate.

FERNANDEZ, FERDINAND F., of California, to be U.S. Circuit Judge for the Ninth Circuit, vice Warren J. Ferguson, retired.
Sept. 16, 1988—Referred.

GREENBERG, MORTON I., of New Jersey, to be U.S. Circuit Judge for the Third Circuit, vice Leonard J. Garth, retired.
Feb. 11, 1987—Referred.
Mar. 11, 1987—Full Committee hearing.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

HOPE, JUDITH RICHARDS, of the District of Columbia, to be U.S. Circuit Judge for the District of Columbia Circuit, vice Robert H. Bork, resigned.
Apr. 14, 1988—Referred.

HURLBUTT, GUY G., of Idaho, to be U.S. Circuit Judge for the Ninth Circuit, vice J. Blaine Anderson, deceased.
Aug. 11, 1988—Referred.

HUTCHISON, WILLIAM D., of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit, vice Arlin M. Adams, retired.
June 26, 1987—Referred.
July 21, 1987—Full Committee hearing.
July 30, 1987—Approved by the Committee and ordered favorably reported.
July 31, 1987—Reported to the Senate by Mr. Biden.
Aug. 5, 1987—Confirmed by the Senate.

KANNE, MICHAEL S., of Indiana, to be U.S. Circuit Judge for the Seventh Circuit, vice Jesse E. Eschbach, retired.
Feb. 2, 1987—Referred.
Apr. 28, 1987—Full Committee hearing.
May 19, 1987—Approved by the Committee and ordered favorably reported.
May 19, 1987—Reported to the Senate by Mr. Biden.
May 19, 1987—Confirmed by the Senate.

LEAVY, EDWARD, of Oregon, to be U.S. Circuit Judge for the Ninth Circuit, vice Otto R. Skopil, Jr., retired.
Feb. 2, 1987—Referred.
Mar. 11, 1987—Full Committee hearing.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20—Confirmed by the Senate.

LIEBLER, SUSAN WITTENBERG, of California, to be U.S. Circuit Judge for the Federal Circuit, vice Shiro Kashiwa, retired.
Mar. 23, 1987—Referred.
Aug. 6, 1987—Full Committee hearing.
Nov. 3, 1987—Full Committee hearing.
Feb. 23, 1988—Reported out of Committee without recommendation.
July 14, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden) without recommendation (together with additional views) (Ex. Rept. No. 100–16).

MAYER, HALDANE ROBERT, of Virginia, to be U.S. Circuit Judge for the Federal Circuit, vice Marion T. Bennett, retired.
Feb. 3, 1987—Referred.
May 13, 1987—Full Committee hearing.
June 4, 1987—Approved by the Committee and ordered favorably reported.
June 5, 1987—Reported to the Senate by Mr. Biden.
June 11, 1987—Confirmed by the Senate.

MICHEL, PAUL R., of Virginia, to be U.S. Circuit Judge for the Federal Circuit, vice Phillip B. Baldwin, retired.
Dec. 19, 1987—Referred.
Feb. 17, 1988—Full Committee hearing.
Feb. 23, 1988—Approved by the Committee and ordered favorably reported.
Feb. 23, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Feb. 29, 1988—Confirmed by the Senate.

NYGAARD, RICHARD L., of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit, vice Joseph F. Weis, Jr., retired.
May 25, 1988—Referred.
Aug. 10, 1988—Full Committee hearing.
Oct. 4, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

RYMER, PAMELA ANN, of California, to be U.S. Circuit Judge for the Ninth Circuit, vice Anthony M. Kennedy, elevated.
Apr. 26, 1988—Referred.

SCIRICA, ANTHONY J., of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit, vice Ruggero J. Aldisert, retired.
June 26, 1987—Referred.
July 21, 1987—Full Committee hearing.
July 30, 1987—Approved by the Committee and ordered favorably reported.
July 31, 1987—Reported to the Senate by Mr. Biden.
Aug. 5, 1987—Confirmed by the Senate.

SENTELLE, DAVID BRYAN, of North Carolina, to be U.S. Circuit Judge for the District of Columbia Circuit, vice Antonin Scalia, elevated.
Feb. 2, 1987—Referred.
Apr. 1, 1987—Full Committee hearing.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Sept. 9, 1987—Confirmed by the Senate.

SIEGAN, BERNARD H., of California, to be U.S. Circuit Judge for the Ninth Circuit, vice Warren J. Ferguson, retired.
Feb. 2, 1987—Referred.
Nov. 5, 1987—Full Committee hearing.
Feb. 25, 1988—Full Committee hearing.
July 14, 1988—Disapproved by the Committee. (Vote 8-6)
Sept. 16, 1988—Nomination was withdrawn.

SMITH, JERRY E., of Texas, to be U.S. Circuit Judge for the Fifth Circuit, vice a new position created by Public Law 98-353, approved July 10, 1984.
June 2, 1987—Referred.
July 21, 1987—Full Committee hearing.
Dec. 16, 1987—Approved by the Committee and ordered favorably reported.
Dec. 17, 1987—Reported to the Senate by Mr. Biden.
Dec. 19, 1987—Confirmed by the Senate.

SUMMIT, STUART A., of New York, to be U.S. Circuit Judge for the Second Circuit, vice Irving R. Kaufman, retired.
Sept. 23, 1987—Referred.
Apr. 21, 1988—Full Committee hearing.
Aug. 10, 1988—Approved by the Committee and ordered favorably reported.
Aug. 10, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).

TREEN, DAVID C., of Louisiana, to be U.S. Circuit Judge for the Fifth Circuit, vice Albert Tate, Jr., deceased.
July 22, 1987—Referred.
May 10, 1988—Nomination was withdrawn.

TROTT, STEPHEN S., of Virginia, to be U.S. Circuit Judge for the Ninth Circuit, vice Joseph T. Sneed, retired.
Aug. 7, 1987—Referred.
Nov. 13, 1987—Full Committee hearing.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Mar. 24, 1988—Confirmed by the Senate.

WIENER, JACQUES L., JR., of Louisiana, to be U.S. Circuit Judge for the Fifth Circuit, vice Robert M. Hill, deceased.
June 27, 1988—Referred.

U.S. DISTRICT COURT JUDGES

ABRAM, DONALD E., of Colorado, to be U.S. District Judge for the District of Colorado, vice a new position created by Public Law 98-353, approved July 10, 1984.
Feb. 19, 1988—Referred.
June 29, 1988—Full Committee hearing.

ALESIA, JAMES H., of Illinois, to be U.S. District Judge for the Northern District of Illinois, vice George N. Leighton, retired.
Feb. 2, 1987—Referred.

Apr. 28, 1987—Full Committee hearing.
May 19, 1987—Approved by the Committee and ordered favorably reported.
May 19, 1987—Reported to the Senate by Mr. Biden.
May 19, 1987—Confirmed by the Senate.

ARCARA, RICHARD J., of New York, to be U.S. District Judge for the Western District of New York, vice John T. Elfvin, retired.
Aug. 7, 1987—Referred.
Jan. 27, 1988—Full Committee hearing.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

BABCOCK, LEWIS T., of Colorado, to be U.S. District Judge for the District of Colorado, vice John L. Kane, Jr., retired.
June 23, 1988—Referred.
Aug. 9, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

BELL, ROBERT HOLMES, of Michigan, to be U.S. District Judge for the Western District of Michigan, vice Wendell A. Miles, retired.
Mar. 11, 1987—Referred.
June 3, 1987—Full Committee hearing.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 1, 1987—Confirmed by the Senate.

BONNER, ROBERT C., of California, to be U.S. District Judge for the Central District of California, vice Pamela Ann Rymer, upon elevation.
June 15, 1988—Referred.

BUTLER, CHARLES R., JR., of Alabama, to be U.S. District Judge for the Southern District of Alabama, vice Emmett Ripley Cox, elevated.
Apr. 28, 1988—Referred.
June 29, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

CAMBRIDGE, WILLIAM G., of Nebraska, to be U.S. District Judge of the District of Nebraska, vice Clarence A. Beam, elevated.
Apr. 13, 1988—Referred.
May 16, 1988—Full Committee hearing.
May 24, 1988—Approved by the Committee and ordered favorably reported.
May 27, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 27, 1988—Confirmed by the Senate.

CAMP, JACK T., JR., of Georgia, to be U.S. District Judge for the Northern District of Georgia, vice Charles A. Moye, Jr., retiring.
Dec. 18, 1987—Referred.
Mar. 24, 1988—Full Committee hearing.
Apr. 14, 1988—Approved by the Committee and ordered favorably reported.
Apr. 15, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden)
Apr. 19, 1988—Confirmed by the Senate.

CONBOY, KENNETH, of New York, to be U.S. District Judge for the Southern District of New York, vice Robert L. Carter, retired.
Nov. 5, 1987—Referred.
Dec. 9, 1987—Full Committee hearing.
Dec. 16, 1987—Approved by the Committee and ordered favorably reported.
Dec. 17, 1987—Reported to the Senate by Mr. Biden.
Dec. 19, 1987—Confirmed by the Senate.

CONLON, SUZANNE B., of Illinois, to be U.S. District Judge for the District of Illinois, vice Thomas R. McMillen, retired.
Apr. 2, 1987—Referred.
Jan. 27, 1988—Full Committee hearing.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

CUMMINGS, SAM R., of Texas, to be U.S. District Judge for the Northern District of Texas, vice Halbert O. Woodward, retired.
Aug. 3, 1987—Referred.
Nov. 13, 1987—Full Committee hearing.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

DARONCO, RICHARD J., of New York, to be U.S. District Judge for the Southern District of New York, vice Lee P. Gagliardi, retired.
Feb. 2, 1987—Referred.
Apr. 1, 1987—Full Committee hearing.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

DOTY, DAVID S., of Minnesota, to be U.S. District Judge for the District of Minnesota, vice Miles W. Lord, retired.
Feb. 5, 1987—Referred.
Apr. 1, 1987—Full Committee hearing.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

DUBOIS, JAN E., of Pennsylvania, to be U.S. District Judge of the Eastern District of Pennsylvania, vice Clifford Scott Green, retired.
May 10, 1988—Referred.
June 21, 1988—Full Committee hearing.
July 14, 1988—Approved by the Committee and ordered favorably reported.
July 25, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
July 26, 1988—Confirmed by the Senate.

DUDLEY, ADRIANE J., of the Virgin Islands, to be a Judge of the District Court of the Virgin Islands for a term of 10 years, vice Almeric L. Christian, retired.
June 20, 1988—Referred.

DWYER, WILLIAM L., of Washington, to be U.S. District Judge for the Western District of Washington, vice Donald S. Voorhees, retired.
July 28, 1987—Referred.
Sept. 11, 1987—Full Committee hearing.
Oct. 22, 1987—Full Committee hearing.
Oct. 29, 1987—Approved by the Committee and ordered favorably reported.
Oct. 30, 1987—Reported to the Senate by Mr. Biden.
Nov. 5, 1987—Confirmed by the Senate.

ELLIS, T.S. III, of Virginia, to be U.S. District Judge for the Eastern District of Virginia, vice Robert R. Merhige, Jr., retired.
July 2, 1987—Referred.
July 21, 1987—Full Committee hearing.
July 31, 1987—Approved by the Committee and ordered favorably reported.
July 31,1987—Reported to the Senate by Mr. Biden.
Aug. 5, 1987—Confirmed by the Senate.

ERICKSON, WILLIAM H., of Colorado, to be U.S. District Judge for the District of Colorado, vice John P. Moore, elevated.
Mar. 23, 1988—Referred.
May 16, 1988—Full Committee hearing.

EZRA, DAVID A., of Hawaii, to be U.S. District Judge for the District of Hawaii, vice Samuel P. King, retired.
Nov. 19, 1987—Referred.
Apr. 28, 1988—Full Committee hearing.
May 12, 1988—Approved by the Committee and ordered favorably reported.
May 12, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 19, 1988—Confirmed by the Senate.

FORESTER, KARL S., of Kentucky, to be U.S. District Judge for the Eastern District of Kentucky to fill an additional position created November 30, 1988, pursuant to the provisions of section 372(b) of title 28 of the United States Code.
Mar. 30, 1988—Referred.
June 29, 1988—Full Committee hearing.
July 14, 1988—Approved by the Committee and ordered favorably reported.

July 25, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
July 26, 1988—Confirmed by the Senate.

FRIEDMAN, BERNARD A., of Michigan, to be U.S. District Judge for the Eastern District of Michigan, vice Robert E. Demascio, retired.
Feb. 2, 1988—Referred.
Mar. 28, 1988—Full Committee hearing.
Apr. 14, 1988—Approved by the Committee and ordered favorably reported.
Apr. 15, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
April 19, 1988—Confirmed by the Senate.

GADOLA, PAUL V., of Michigan, to be U.S. District Judge for the Eastern District of Michigan, vice John Feikens, retired.
Apr. 23, 1987—Referred.
June 22, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

GARBIS, MARVIN J., of Maryland, to be U.S. District Judge for the District of Maryland, vice Joseph H. Young, retired.
July 6, 1988—Referred.

GARZA, EMILIO M., of Texas, to be U.S. District Judge for the Western District of Texas, vice William S. Sensions, resigned.
Feb. 2, 1988—Referred.
Mar. 28, 1988—Full Committee hearing.
Apr. 14, 1988—Approved by the Committee and ordered favorably reported.
Apr. 15, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Apr. 19, 1988—Confirmed by the Senate.

GAWTHROP, ROBERT S. III, of Pennsylvania, to be U.S. District Judge of the Eastern District of Pennsylvania, vice J. William Ditter, Jr., retired.
Sept. 30, 1987—Referred.
Nov. 17, 1987—Full Committee hearing.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

HARMON, MELINDA, of Texas, to be U.S. District Judge for the Southern District of Texas, vice John V. Singleton, Jr., retired.
June 23, 1988—Referred.

HARRINGTON, EDWARD F., of Massachusetts, to be U.S. District Judge for the District of Massachusetts, vice Andrew A. Caffrey, retired.
Sept. 18, 1987—Referred.
Nov. 17, 1987—Full Committee hearing.
Dec. 9, 1987—Full Committee hearing.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

HOWARD, MALCOLM J., of North Carolina, to be U.S. District Judge for the Eastern District of North Carolina, vice a new position created by Public Law 98-353, approved July 10, 1984.
Sept. 10, 1987—Referred.
Feb. 17, 1988—Full Committee hearing.
Feb. 23, 1988—Approved by the Committee and ordered favorably reported.
Feb. 23, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Feb. 25, 1988—Confirmed by the Senate.

HOYT, KENNETH M., of Texas, to be U.S. District Judge for the Southern District of Texas, vice Carl O. Bue, Jr., retired.
Nov. 30, 1987—Referred.
Feb. 29, 1988—Full Committee hearing.
Mar. 24, 1988—Approved by the Committee and ordered favorably reported.
Mar. 24, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Mar. 31, 1988—Confirmed by the Senate.

HUTTON, HERBERT J., of Pennsylvania, to be U.S. District Judge for the Eastern District of Pennsylvania, vice Clarence C. Newcomer, retired.
May 17, 1988—Referred.

July 27, 1988—Full Committee hearing.
Aug. 3, 1988—Approved by the Committee and ordered favorably reported.
Aug. 4, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Aug. 11, 1988—Confirmed by the Senate.

JORDAN, ROBERT LEON, of Tennessee, to be U.S. District Judge for the Eastern District of Tennessee, vice Robert L. Taylor, retired.
July 25, 1988—Referred.
Oct. 4, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

KELLY, ROBERT F., of Pennsylvania, to the U.S. District Judge for the Eastern District of Pennsylvania, vice Donald W. VanArtsdalen, retired.
May 5, 1987—Referred. (Received May 1, 1987.)
June 3, 1987—Full Committee hearing.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
June 25, 1987—Confirmed by the Senate.

LAKE, SIMEON TIMOTHY, III, of Texas, to be U.S. District Judge for the Southern District of Texas, vice Ross N. Sterling, Jr., deceased.
Mar. 30, 1988—Referred.
May 16, 1988—Full Committee hearing.
July 27, 1988—Full Committee hearing.
Aug. 3, 1988—Approved by the Committee and ordered favorably reported.
Aug. 4, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Aug. 11, 1988—Confirmed by the Senate.

LAMBERTH, ROYCE C., of Virginia, to be U.S. District Judge for the District of Columbia, vice Barrington D. Parker, retired.
Mar. 19, 1987—Referred.
May 13, 1987—Full Committee hearing.
June 23, 1987—Approved by Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
Nov. 13, 1987—Confirmed by the Senate.

LARIMER, DAVID G., of New York, to be U.S. District Judge for the Western District of New York, vice a new position created by Public Law 98-353, approved July 10, 1984.
May 5, 1987—Referred. (Received May 1, 1987.)
June 18, 1987—Full Committee hearing.
Oct. 29, 1987—Approved by the Committee and ordered favorably reported.
Oct. 30, 1987—Reported to the Senate by Mr. Biden.
Nov. 5, 1987—Confirmed by the Senate.

LEVITT, HOWARD E., of New York, to be U.S. District Judge for the Eastern District of New York, vice Mark A. Costantino, retired.
Dec. 22, 1987—Referred.
Apr. 21, 1988—Full Committee hearing.

LEW, RONALD S.W., of California, to be U.S. District Judge for the Central District of California, vice Laughlin E. Waters, retired.
Feb. 2, 1987—Referred.
Apr. 7, 1987—Full Committee hearing.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

LIFLAND, JOHN C., of New Jersey, to be U.S. District Judge for the District of New Jersey, vice Clarkson S. Fisher, retired.
Feb. 29, 1988—Referred.
Apr. 28, 1988—Full Committee hearing.
May 12, 1988—Approved by the Committee and ordered favorably reported.
May 12, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 19, 1988—Confirmed by the Senate.

LOZANO, RUDY, of Indiana, to be U.S. District Judge for the Northern District of Indiana, vice Michael S. Kane, elevated,
Dec. 4, 1987—Referred.

Feb. 17, 1988—Full Committee hearing.
Feb. 23, 1988—Approved by the Committee and ordered favorably reported.
Feb. 23, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Feb. 25, 1988—Confirmed by the Senate.

MASON, SHANNON T., JR., of Virginia, to be U.S. District Judge for the Eastern District of Virginia, vice D. Dortch Warriner, deceased.
Feb. 22, 1988—Referred.
Apr. 28, 1988—Full Committee hearing.

MAROVICH, GEORGE M., of Illinois, to be U.S. District Judge for the Northern District of Illinois, vice Susan C. Getzendanner, resigned.
Feb. 2, 1988—Referred.
Feb. 29, 1988—Full Committee hearing.
Mar. 24, 1988—Approved by the Committee and ordered favorably reported.
Mar. 24, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Mar. 31, 1988—Confirmed by the Senate.

MARSH, MALCOLM F., of Oregon, to be U.S. District Judge for the District of Oregon, vice Edward Leavy, elevated.
Feb. 2, 1987—Referred.
Mar. 11, 1987—Full Committee hearing.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

MC GREGOR, JAMES R., of Pennsylvania, to be U.S. District Judge for the Western District of Pennsylvania, vice Hubert I. Teitelbaum, retired.
Mar. 14, 1988—Referred.
Aug. 9, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.

MC KINNEY, LARRY J., of Indiana, to be U.S. District Judge for the Southern District of Indiana, vice William E. Steckler, retired.
May 5, 1987—Referred. (Received May 1, 1987.)
June 18, 1987—Full Committee hearing.
July 9, 1987—Approved by the Committee and ordered favorably reported.
July 9, 1987—Reported to the Senate by Mr. Biden.
July 17, 1987—Confirmed by the Senate.

MILLER, ROBERT N., of Colorado, to be U.S. District Judge for the District of Colorado, vice a new position created by Public Law 98-353, approved July 10, 1984.
Feb. 5, 1987—Referred.
Nov. 13, 1987—Full Committee hearing.
Feb. 2, 1988—Nomination was withdrawn.

MUKASEY, MICHAEL B., of New York, to be U.S. District Judge for the Southern District of New York, vice Abraham D. Sofaer.
July 28, 1987—Referred.
Oct. 20, 1987—Full Committee hearing.
Nov. 5, 1987—Approved by the Committee and ordered favorably reported.
Nov. 5, 1987—Reported to the Senate by Mr. Biden.
Nov. 6, 1987—Confirmed by the Senate.

MUNSON, ALEX R., of the Northern Mariana Islands, to be Judge for the District Court for the Northern Mariana Islands for a term of 10 years, vice Alfred Laureta, term expiring.
Feb. 25, 1988—Referred
Aug. 10, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

NIEMEYER, PAUL V., of Maryland, to be U.S. District Judge for the District of Maryland, vice Frank A. Kaufman, retired.
Sept. 11, 1987—Referred.
Jan. 27, 1988—Full Committee hearing.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

PARKER, JAMES A., of New Mexico, to be U.S. District Judge for the District of New Mexico, vice Howard C. Bratton, retired.
July 10, 1987—Referred.
Sept. 11, 1987—Full Committee hearing.
Oct. 29, 1987—Approved by the Committee and ordered favorably reported.
Oct. 30, 1987—Reported to the Senate by Mr. Biden.
Nov. 5, 1987—Confirmed by the Senate.

PATTERSON, ROBERT P., JR., of New York, to be U.S. District Judge for the Southern District of New York, vice Whitman Knapp, retired.
June 14, 1988—Referred.
July 27, 1988—Full Committee hearing.
Aug. 10, 1988—Approved by the Committee and ordered favorably reported.
Aug. 10, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Oct. 5, 1988—Confirmed by the Senate.

PHILLIPS, LAYN R., of Oklahoma, to be U.S. District Judge for the Western District of Oklahoma, vice Luther B. Eubanks, retired.
Feb. 2, 1987—Referred.
May 13, 1987—Full Committee hearing.
June 4, 1987—Approved by the Committee and ordered favorably reported.
June 5, 1987—Reported to the Senate by Mr. Biden.
June 11, 1987—Confirmed by the Senate.

POLITAN, NICHOLAS H., of New Jersey, to be U.S. District Judge for the District of New Jersey, vice Herbert J. Stern, resigned.
Aug. 7, 1987—Referred.
Oct. 26, 1987—Full Committee hearing.
Nov. 5, 1987—Approved by the Committee and ordered favorably reported.
Nov. 5, 1987—Reported to the Senate by Mr. Biden.
Nov. 6, 1987—Confirmed by the Senate.

PRO, PHILIP M., of Nevada, to be U.S. District Judge for the District of Nevada, vice Harry E. Claiborne, impeached.
May 5, 1987—Referred. (Received May 1, 1987.)
June 3, 1987—Full Committee hearing.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 22, 1987—Confirmed by the Senate.

RAGGI, REENA, of New York, to be U.S. District Judge for the Eastern District of New York, vice Frank X. Altimari, elevated.
Jan. 20, 1987—Referred.
Apr. 1, 1987—Full Committee hearing.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

REASONER, STEPHEN M., of Arkansas, to be U.S. District Judge for the Eastern District of Arkansas, vice William Ray Overton, deceased.
Dec. 19, 1987—Referred.
Feb. 17, 1988—Full Committee hearing.
Feb. 23, 1988—Approved by the Committee and ordered favorably reported.
Feb. 23, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Feb. 25, 1988—Confirmed by the Senate.

REED, LOWELL A., of Pennsylvania, to be U.S. District Judge for the Eastern District of Pennsylvania, vice Anthony J. Scirica, elevated.
Dec. 18, 1987—Referred.
Mar. 24, 1988—Full Committee hearing.
Apr. 14, 1988—Approved by the Committee and ordered favorably reported.
Apr. 15, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Apr. 19, 1988—Confirmed by the Senate.

ROBERTO, ROBERT, JR., of New York, to be U.S. District Judge for the Eastern District of New York, vice Henry Bramwell, retired.
Nov. 25, 1987—Referred.
Apr. 21, 1988—Full Committee hearing.
July 26, 1988—Nomination was withdrawn.

SCHELL, RICHARD A., of Texas, to be U.S. District Judge for the Eastern District of Texas, vice William M. Steger, retired.

Apr. 13, 1988—Referred.
May 16, 1988—Full Committee hearing.
May 24, 1988—Approved by the Committee and ordered favorably reported.
May 27, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 27, 1988—Confirmed by the Senate.

SCHMUTZER, ALFRED C., JR., of Tennessee, to be U.S. District Judge for the Eastern District of Tennessee, vice Robert L. Taylor, retired.
Dec. 18, 1987—Referred.
Mar. 28, 1988—Nomination was withdrawn.

SMITH, D. BROOKS, of Pennsylvania, to be U.S. District Judge for the Western District of Pennsylvania, vice Carol Los Mansmann, elevated.
July 28, 1988—Referred.
Oct. 4, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

SMITH, FERN M., of California, to be U.S. District Judge for the Northern District of California, vice Samuel Conti, retired.
May 9, 1988—Referred.
June 21, 1988—Full Committee hearing.
July 14, 1988—Approved by the Committee and ordered favorably reported.
July 25, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
July 26, 1988—Confirmed by the Senate.

SMITH, GEORGE C., of Ohio to be U.S. District Judge for the Southern District of Ohio, vice Joseph P. Kinneary, retired.
July 2, 1987—Referred.
Oct. 20, 1987—Full Committee hearing.
Nov. 5, 1987—Approved by the Committee and ordered favorably reported.
Nov. 5, 1987—Reported to the Senate by Mr. Biden.

STADTMUELLER, JOSEPH P., of Wisconsin, to be U.S. District Judge for the Eastern District of Wisconsin, vice John W. Reynolds, retired.
May 3, 1987—Referred.
Apr. 3, 1987—Full Committee hearing.
May 19, 1987—Approved by the Committee and ordered favorably reported.
May 19, 1987—Reported to the Senate by Mr. Biden.
May 19, 1987—Confirmed by the Senate.

STANDISH, WILLIAM L., of Pennsylvania, to be U.S. District Judge for the Western District of Pennsylvania, vice Barron P. McCune, retired.
July 2, 1987—Referred.
Sept. 11, 1987—Full Committee hearing.
Oct. 29, 1987—Approved by the Committee and ordered favorably reported.
Oct. 30, 1987—Reported to the Senate by Mr. Biden.
Nov. 5, 1987—Confirmed by the Senate.

TILLEY, NORWOOD CARLTON, JR., of North Carolina, to be U.S. District Judge for the Middle District of North Carolina, vice Hiram H. Ward, retired.
Apr. 26, 1988—Referred.
Aug. 9, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

TINDER, JOHN DANIEL, of Indiana, to be U.S. District Judge for the Southern District of Indiana, vice James E. Noland, retired.
June 2, 1987—Referred.
July 21, 1987—Full Committee hearing.
Aug. 6, 1987—Approved by the Committee and ordered favorably reported.
Aug. 6, 1987—Reported to the Senate by Mr. Biden.
Aug. 7, 1987—Confirmed by the Senate.

TORRES, ERNEST C., of Rhode Island, to be U.S. District Judge for the District of Rhode Island, vice Bruce M. Selya, elevated.
June 23, 1987—Referred.
Sept. 11, 1987—Full Committee hearing.
Oct. 29, 1987—Approved by the Committee and ordered favorably reported.
Oct. 30, 1987—Reported to the Senate by Mr. Biden.
Nov. 5, 1987—Confirmed by the Senate.

TURNER, JEROME, of Tennessee, to be U.S. District Judge for the Western District of Tennessee, vice Robert M. McRae, Jr., retired.
July 1, 1987—Referred.
Nov. 5, 1987—Full Committee hearing.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

VAN ANTWERPEN, FRANKLIN S., of Pennsylvania, to be U.S. District Judge for the Eastern District of Pennsylvania, vice Alfred L. Luongo, deceased.
Sept. 11, 1987—Referred.
Nov. 5, 1987—Full Committee hearing.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

VOORHEES, RICHARD L., of North Carolina, to be U.S. District Judge for the Western District of North Carolina, vice David Bryan Sentelle, elevated.
July 31, 1987—Referred.
June 22, 1988—Full Committee hearing.
July 14, 1988—Approved by the Committee and ordered favorably reported.
July 25, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Oct. 14, 1988—Confirmed by the Senate.

WALDMAN, JAY C., of Pennsylvania, to be U.S. District Judge for the Eastern District of Pennsylvania, vice Daniel H. Huyett III, retired.
Aug. 3, 1988—Referred.
Oct. 4, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

WALKER, VAUGHN R., of California, to be U.S. District Judge for the Northern District of California, vice Spencer M. Williams, retired.
Dec. 18, 1987—Referred.
June 13, 1988—Full Committee hearing.

WEBB, RODNEY S., of North Dakota, to be U.S. District Judge for the District of North Dakota, vice Paul Benson, retired.
May 5, 1987—Referred. (Received May 1, 1987.)
Oct. 26, 1987—Full Committee hearing.
Dec. 16, 1987—Approved by the Committee and ordered favorably reported.
Dec. 17, 1987—Reported to the Senate by Mr. Biden.
Dec. 19, 1987—Confirmed by the Senate.

WHIPPLE, DEAN, of Missouri, to be U.S. District Judge for the Western District of Missouri, vice Ross T. Roberts, deceased.
Sept. 14, 1987—Referred.
Nov. 17, 1987—Full Committee hearing.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

WOLIN, ALFRED M., of New Jersey, to be U.S. District Judge for the District of New Jersey, vice Robert E. Cowen, elevated.
Sept. 14, 1987—Referred.
Nov. 13, 1987—Full Committee hearing.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

WOLLE, CHARLES R., of Iowa, to be U.S. District Judge for the Southern District of Iowa, vice William C. Stuart, retired.
July 2, 1987—Referred.
July 21, 1987—Full Committee hearing.
July 30, 1987—Approved by the Committee and ordered favorably reported.
July 31, 1987—Reported to the Senate by Mr. Biden.
Aug. 5, 1987—Confirmed by the Senate.

WOOD, KIMBA M., of New York, to be U.S. District Judge for the Southern District of New York, vice Constance Baker Motley, retired.
Dec. 18, 1987—Referred.
Mar. 24, 1988—Full Committee hearing.
Apr. 14, 1988—Approved by the Committee and ordered favorably reported.
Apr. 15, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Apr. 19, 1988—Confirmed by the Senate.

ZAGEL, JAMES B., of Illinois, to be U.S. District Judge for the Northern District of Illinois, vice Frank J. McGarr, retired.
Feb. 2, 1987—Referred.
Mar. 11, 1987—Full Committee hearing.
Apr. 8, 1987—Approved by the Committee and ordered favorably reported.
Apr. 8, 1987—Reported to the Senate by Mr. Biden.
Apr. 21, 1987—Confirmed by the Senate.

ZILLY, THOMAS S., of Washington, to be U.S. District Judge for the Western District of Washington, vice Walter T. McGovern, retired.
Feb. 16, 1988—Referred.
Mar. 28, 1988—Full Committee hearing.
Apr. 14, 1988—Approved by the Committee and ordered favorably reported.
Apr. 15, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Apr. 19, 1988—Confirmed by the Senate.

U.S. CLAIMS COURT JUDGES

ANDEWELT, ROGER B., of the District of Columbia, to be a Judge of the U.S. Claims Court for the term of 15 years, vice Thomas J. Lyndon, term expired.
Mar. 3, 1987—Referred.
Apr. 28, 1987—Full Committee hearing.
May 19, 1987—Approved by the Committee and ordered favorably reported.
May 19, 1987—Reported to the Senate by Mr. Biden.
May 19, 1987—Confirmed by the Senate.

CHARROW, ROBERT P., of the District of Columbia, to be a Judge of the U.S. Claims Court for the term of 15 years, vice Robert M.M. Seto, term expired.
Feb. 2, 1987—Referred.

FUTEY, BOHDAN A., of Ohio, to be a Judge of the U.S. Claims Court for the term of 15 years, vice Philip R. Miller, term expired.
Feb. 2, 1987—Referred.
Apr. 7, 1987—Full Committee hearing.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

RADER, RANDALL R., of Virginia, to be a Judge of the U.S. Claims Court for the term of 15 years, vice Robert M.M. Seto, term expired.
Mar. 29, 1988—Referred.
July 27, 1988—Full Committee hearing.
Aug. 3, 1988—Approved by the Committee and ordered favorably reported.
Aug. 4, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Aug. 11, 1988—Confirmed by the Senate.

ROBINSON, WILKES C., of Kansas, to be a Judge of the U.S. Claims Court for the term of 15 years, vice Judith Ann Yannello, term expired.
Feb. 2, 1987—Referred.
Apr. 7, 1987—Full Committee hearing.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

TURNER, JAMES T., of Virginia, to be a Judge of the U.S. Claims Court for the term of 15 years, vice Haldane Robert Mayer.
Apr. 23, 1987—Referred.
June 3, 1987—Full Committee hearing.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 1, 1987—Confirmed by the Senate.

U.S. DEPARTMENT OF JUSTICE

ABELL, RICHARD BENDER, of Virginia, to be an Assistant Attorney General, vice Lois H. Herrington, resigned.
Feb. 24, 1987—Referred.
May 20, 1987—Full Committee hearing.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 1, 1987—Confirmed by the Senate.

BOYD, THOMAS M., of Virginia, to be an Assistant Attorney General, vice John R. Bolton, reassigned.
July 27, 1988—Referred.
Sept. 8, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

CHRISTENSEN, HAROLD G., of Utah, to be Deputy Attorney General, vice Arnold I. Burns, resigned.
May 25, 1988—Referred.
July 28, 1988—Full Committee hearing.
Aug. 3, 1988—Approved by the Committee and ordered favorably reported.
Aug. 4, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Oct. 4, 1988—Confirmed by the Senate.

DENNIS, EDWARD S.G., JR., of Pennsylvania, to be an Assistant Attorney General, vice William F. Weld, resigned.
May 25, 1988—Referred.
July 27, 1988—Full Committee hearing.
Aug. 3, 1988—Approved by the Committee and ordered favorably reported.
Aug. 4, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Oct. 4, 1988—Confirmed by the Senate.

KEATING, FRANCIS ANTHONY, II, of Oklahoma, to be Associate Attorney General, vice Stephen S. Trott.
Apr. 25, 1988—Referred.
July 27, 1988—Full Committee hearing.
Aug. 3, 1988—Approved by the Committee and ordered favorably reported.
Aug. 4, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Oct. 4, 1988—Confirmed by the Senate.

KMIEC, DOUGLAS W., of Indiana, to be an Assistant Attorney General, vice Charles J. Cooper.
July 27, 1988—Referred.
Sept. 8, 1988—Full Committee hearing.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

MARZULLA, ROGER J., of California, to be an Assistant Attorney General, vice Frank Henry Habicht II, resigned.
Jan. 26, 1988—Referred.
Feb. 29, 1988—Full Committee hearing.
Mar. 24, 1988—Approved by the Committee and ordered favorably reported.
Mar. 24, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Mar. 31, 1988—Confirmed by the Senate.

ROSE, WILLIAM S., JR., of South Carolina, to be an Assistant Attorney General, vice Roger Milton Olsen, resigned.
Oct. 2, 1987—Referred.
Nov. 17, 1987—Full Committee hearing.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

RULE, CHARLES F., of the District of Columbia, to be an Assistant Attorney General, vice Douglas H. Ginsburg.
Apr. 23, 1987—Referred.
May 28, 1987—Full Committee hearing.
July 9, 1987—Approved by the Committee and ordered favorably reported.

July 9, 1987—Reported to the Senate by Mr. Biden.
July 17, 1987—Confirmed by the Senate.

SESSIONS, WILLIAM S., of Texas, to be Director of the Federal Bureau of Investigation.
Sept. 9, 1987—Referred.
Sept. 9, 1987—Full Committee hearing.
Sept. 15, 1987—Approved by the Committee and ordered favorably reported.
Sept. 15, 1987—Reported to the Senate by Mr. Biden with written report (Exec. Rept. No. 100-6).
Sept. 25, 1987—Confirmed by the Senate.

SISKIND, LAWRENCE J., of California, to be special counsel for Immigration-Related Unfair Employment Practices for a term of 4 year (new position).
June 17, 1987—Referred.
Oct. 29, 1987—Approved by the Committee and ordered favorably reported.
Oct. 30, 1987—Reported to the Senate by Mr. Biden.
Nov. 5, 1987—Confirmed by the Senate.

SPEIRS, VERNE L., of Virginia, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention, vice Alfred S. Regnery.
Mar. 11, 1987—Referred.
May 20, 1987—Full Committee hearing.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 22, 1987—Confirmed by the Senate.

THORNBURGH, RICHARD L., of Pennsylvania, to be Attorney General.
July 25, 1988—Referred.
Aug. 5, 1988—Full Committee hearing.
Aug. 10, 1988—Approved by the Committee and ordered favorably reported.
Aug. 10, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Aug. 11, 1988—Confirmed by the Senate (unanimous vote of 85 yeas).

U.S. ATTORNEYS

ALITO, SAMUEL A., Jr., of New Jersey, to be U.S. Attorney for the District of New Jersey for the term of 4 years, vice W. Hunt Dumont, resigned.
Aug. 3, 1987—Referred.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec 8. 1987—Confirmed by the Senate.

ASHCRAFT, THOMAS J., of North Carolina, to be U.S. Attorney for the Western District of North Carolina for the term of 4 years, vice Charles R. Brewer, term expired.
Aug. 7, 1987—Referred.
Oct. 5, 1987—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 20, 1988—Confirmed by the Senate.

BANKS, CHARLES A., of Arkansas, to be U.S. Attorney for the Eastern District of Arkansas for the term of 4 years, vice George Washington Proctor, resigned.
Dec. 17, 1987—Referred.
Feb. 23, 1988—Approved by the Committee and ordered favorably reported.
Feb. 23, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Feb. 25, 1988—Confirmed by the Senate.

CAREY, MICHAEL W., of West Virginia, to be U.S. Attorney for the Southern District of West Virginia for the term of 4 years, vice David A. Faber, resigned.
May 13, 1987—Referred.
May 19, 1987—Approved by the Committee and ordered favorably reported.
May 19, 1987—Reported to the Senate by Mr. Biden.
May 19, 1987—Confirmed by the Senate.

CRITES, MICHAEL D., of Ohio, to be U.S. Attorney for the Southern District of Ohio for the term of 4 years, vice Christopher K. Barnes, resigned.
Feb. 5, 1987—Referred.
Apr. 8, 1987—Approved by the Committee and ordered favorably reported.
Apr. 8, 1987—Reported to the Senate by Mr. Biden.
Apr. 21, 1987—Confirmed by the Senate.

CURRIN, MARGARET P., of North Carolina, to be U.S. Attorney for the Eastern District of North Carolina for the term of 4 years, vice Samuel T. Currin, resigned.
Mar. 31, 1988—Referred.

DANIELS, DEBORAH J., of Indiana, to be U.S. Attorney for the Southern District of Indiana for the term of 4 years, vice John D. Tinder, resigned.
Feb. 16, 1988—Referred.
Mar. 24, 1988—Approved by the Committee and ordered favorably reported.
Mar. 24, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Mar. 31, 1988—Confirmed by the Senate.

EDMUNDS, ROBERT H., JR., of North Carolina, to be U.S. Attorney for the Middle District of North Carolina for the term of 4 years, vice Kenneth W. McAllister, resigned.
May 5, 1987—Referred. (Received May 1, 1987.)
July 30, 1987—Approved by the Committee and ordered favorably reported.
July 31, 1987—Reported to the Senate by Mr. Biden.
Feb. 3, 1988—Confirmed by the Senate.

ENNIS, EDGAR W., of Georgia, to be U.S. Attorney for the Middle District of Georgia for the term of 4 years, vice Joe D. Whitley, resigned.
Nov. 30, 1987—Referred.
Feb. 23, 1988—Approved by the Committee and ordered favorably reported.
Feb. 23, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Feb. 25, 1988—Confirmed by the Senate.

FIEDLER, PATRICK J., of Wisconsin, to be U.S. Attorney for the Western District of Wisconsin for the term of 4 years, vice John R. Byrnes, term expired.
Nov. 19, 1987—Referred.
Feb. 23, 1988—Approved by the Committee and ordered favorably reported.
Feb. 23, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Feb. 25, 1988—Confirmed by the Senate.

FRYATT, JOHN E., of Wisconsin, to be U.S. Attorney for the Eastern District of Wisconsin for the term of 4 years, vice Joseph P. Stadtmueller, resigned.
Nov. 19, 1987—Referred.
Feb. 23, 1988—Approved by the Committee and ordered favorably reported.
Feb. 23, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Feb. 25, 1988—Confirmed by the Senate.

GRAHAM, TONY MICHAEL, of Oklahoma, to be U.S. Attorney for the Northern District of Oklahoma for the term of 4 years, vice Layn R. Phillips, resigned.
Nov. 19, 1987—Referred.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

HESS, FREDERICK J., of Illinois, to be U.S. Attorney for the Southern District of Illinois for the term of 4 years, reappointment.
Jan. 20, 1987—Referred.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

HOGEN, PHILIP N., of South Dakota, to be U.S. Attorney for the District of South Dakota for the term of 4 years, reappointment.
Apr. 27, 1987—Referred.
Aug. 6, 1987—Approved by the Committee and ordered favorably reported.
Aug. 6, 1987—Reported to the Senate by Mr. Biden.
Aug. 7, 1987—Confirmed by the Senate.

LAMONICA, P. RAYMOND, of Louisiana, to be U.S. Attorney for the Middle District of Louisiana for the term of 4 years, vice Stanford O. Bardwell, Jr., resigned.
Jan. 20, 1987—Referred.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

LARSON, CHARLES W., of Iowa, to be U.S. Attorney for the Northern District of Iowa for the term of 4 years, vice Evan L. Hultman, resigned.
Apr. 21, 1987—Referred.

May 19, 1987—Approved by the Committee and ordered favorably reported.
May 19, 1987—Reported to the Senate by Mr. Biden.
May 19, 1987—Confirmed by the Senate.

LEVI, DAVID F., of California, to be U.S. Attorney for the Eastern District of California for the term of 4 years, vice Donald B. Ayer, resigned.
May 5, 1987—Referred. (Received May 1, 1987.)
July 9, 1987—Approved by the Committee and ordered favorably reported.
July 9, 1987—Reported to the Senate by Mr. Biden.
July 17, 1987—Confirmed by the Senate.

MC NAMARA, FRANK L., JR., of Massachusetts, to be U.S. Attorney for the District of Massachusetts for the term of 4 years, vice William F. Weld.
Apr. 2, 1987—Referred.
Oct. 29, 1987—Approved by the Committee and ordered favorably reported.
Oct. 29, 1987—Reported to the Senate by Mr. Biden.
Nov. 5, 1987—Confirmed by the Senate.

MOORE, K. MICHAEL, of Florida, to be U.S. Attorney for the Northern District of Florida for the term of 4 years, vice Willard Thomas Dillard III, resigned.
April 23, 1987—Referred.
May 19, 1987—Approved by the Committee an ordered favorably reported.
May 19, 1987—Reported to the Senate by Mr. Biden.
May 19, 1987—Confirmed by the Senate.

NORTON, MICHAEL J., of Colorado, to be U.S. Attorney for the District of Colorado for the term of 4 years, vice Robert N. Miller, resigned.
Mar. 24, 1988—Referred.

PRICE, WILLIAM S., of Oklahoma, to be U.S. Attorney for the Western District of Oklahoma for the term of 4 years, reappointment.
Apr. 23, 1987—Referred.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 1, 1987—Confirmed by the Senate.

ROMO, DANIEL F. LOPEZ, of Puerto Rico, to be U.S. Attorney for the District of Puerto Rico for the term of 4 years, reappointment.
Aug. 6, 1987—Referred.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

STEPHENS, JAY B., of Virginia, to be U.S. Attorney for the District of Columbia for the term of 4 years, vice Joseph E. Digenova, resigned.
Apr. 15, 1988—Referred.
Oct. 5, 1988—Approved by the Committee and order favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

TERWILLIGER, GEORGE J., III, of Vermont, to be U.S. Attorney for the District of Vermont for the term of 4 years, vice George W.F. Cook, resigned.
Apr. 23, 1987—Referred.
May 19, 1987—Approved by the Committee and ordered favorably reported.
May 19, 1987—Reported to the Senate by Mr. Biden.
May 19, 1987—Confirmed by the Senate.

TURNER, CHARLES H., of Oregon, to be U.S. Attorney for the District of Oregon for the term of 4 years, reappointment.
Apr. 17, 1987—Referred.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 1, 1987—Confirmed by the Senate.

VACCO, DENNIS C., of New York to be U.S. Attorney for the Western District of New York for the term of 4 years, vice Salvatore R. Martoche, resigned.
June 14, 1988—Referred.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

WILSON, JAMES ELDON, of Alabama, to be U.S. Attorney for the Middle District of Alabama for the term of 4 years, vice John C. Bell, term expired.
Nov. 30, 1987—Referred.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

WORTHAM, ROBERT J., of Texas, to be U.S. Attorney for the Eastern District of Texas for the term of 4 years, reappointment.
July 21, 1987—Referred.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

U.S. MARSHALS

BAKER, BASIL S., of Texas, to be U.S. Marshal for the Southern District of Texas for the term of 4 years, reappointment.
Mar. 13, 1987—Referred.

BALDELLI, DAVID E., of Texas, to be U.S. Marshal for the Northern District of Texas for the term of 4 years, vice Clinton T. Peoples, term expired.
Mar. 14, 1988—Referred.
May 24, 1988—Approved by the Committee and ordered favorably reported.
May 27, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
June 6, 1988—Confirmed by the Senate.

BREAZEALE, MARVIN E., of Mississippi, to be U.S. Marshal for the Southern District of Mississippi for the term of 4 years, reappointment.
Mar. 19 1987—Referred.

BREESE, WILLIAM D., of Georgia, to be U.S. Marshal for the Middle District of Georgia for the term of 4 years, vice John W. Stokes, Jr., resigned.
Aug. 6, 1987—Referred.
Nov. 5, 1987—Approved by the Committee and ordered favorably reported.
Nov. 5, 1987—Reported to the Senate by Mr. Biden.
Nov. 6, 1987—Confirmed by the Senate.

CALLERY, JOHN T., of Tennessee, to be U.S. Marshal for the Western District of Tennessee for the term of 4 years, reappointment.
Jan. 20, 1987—Referred.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

CAMERON, RICHARD W., of California, to be U.S. Marshal for the Southern District of California for the term of 4 years, vice James R. Laffon, deceased.
May 10, 1988—Referred.
Oct. 3, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

DAVIS, EUGENE H., of Utah, to be U.S. Marshal for the District of Utah for the term of 4 years, reappointment.
Jan. 20, 1987—Referred.

DENNEY, O. EVANS, of Delaware, to be U.S. Marshal for the District of Delaware for the term of 4 years, reappointment.
Jan. 20, 1987—Referred.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

EARNEST, STUART E., of Oklahoma, to be U.S. Marshal for the Western District of Oklahoma for the term of 4 years, reappointment.
Jan. 20, 1987—Referred.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

EVANS, FAITH P., of Hawaii, to be U.S. Marshal for the District of Hawaii for the term of 4 years, reappointment.
Jan. 20, 1987—Referred.

FOSTER, ROBERT W., of Ohio, to be U.S. Marshal for the Southern District of Ohio for the term of 4 years, reappointment.
Mar. 13, 1987—Referred.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

GARRISON, GROVER, W., of Louisiana, to be U.S. Marshal for the Middle District of Louisiana for the term of 4 years, vice James L. Meyers, retired.
Feb. 16, 1988—Referred.
Mar. 24, 1988—Approved by the Committee and ordered favorably reported.
Mar. 24, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Mar. 31, 1988—Confirmed by the Senate.

GARY, J. KEITH, of Texas, to be U.S. Marshal for the Eastern District of Texas for the term of 4 years, vice James G. Barton, term expired.
Jan. 20, 1987—Referred.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

HAIR, WILLIAM ROBERT, of West Virginia, to be U.S. Marshal for the Northern District of West Virginia for the term of 4 years, vice Ronald A. Donell, resigned.
Dec. 3, 1987—Referred.

IMUNDI, ROMOLO J., of New York, to be U.S. Marshal for the Southern District of New York for the term of 4 years, reappointment.
Apr. 23, 1987—Referred.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

JENKINS, JESSE R., of North Carolina, to be U.S. Marshal for the Western District of North Carolina for the term of 4 years, vice Max E. Wilson, resigned.
May 5, 1987—Referred. (Received May 1, 1987.)
July 30, 1987—Approved by the Committee and ordered favorably reported.
July 31, 1987—Reported to the Senate by Mr. Biden.
Feb. 3, 1988—Confirmed by the Senate.

JONAS, WILLIAM J., JR., of Texas, to be U.S. Marshal for the Western District of Texas for the term of 4 years, reappointment.
Mar. 3, 1987—Referred.
Apr. 8, 1987—Approved by the Committee and ordered favorably reported.
Apr. 8, 1987—Reported to the Senate by Mr. Biden.
Apr. 21, 1987—Confirmed by the Senate.

MARZULLO, EUGENE V., of Pennsylvania, to be U.S. Marshal for the Western District of Pennsylvania for term of 4 years, reappointment.
Jan. 20, 1987—Referred.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

MC KAY, JOHN A., of Alaska, to be U.S. Marshal for the District of Alaska for the term of 4 years, vice William H. Opel, resigned.
Sept. 11, 1987—Referred.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

MEYERS, JAMES L., of Louisiana, to be U.S. Marshal for the Middle District of Louisiana for the term of 4 years, reappointment.
Jan. 20, 1987—Referred.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

PEO, FRANCIS K., of New York, to be U.S. Marshal for the Northern District of New York for the term of 4 years, reappointment.
Jan. 29, 1987—Referred.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

RIFE, EARL L., of Ohio, to be U.S. Marshal for the Northern District of Ohio for the term of 4 years, reappointment.
Mar. 3, 1987—Referred.
Apr. 29, 1987—Approved by the Committee and ordered favorably reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Mar. 20, 1987—Confirmed by the Senate.

SKAGEN, NOREEN T., of Washington, to be U.S. Marshal for the Western District of Washington for the term of 4 years, vice Eugene M. Corr, term expired.
July 27, 1988—Referred.
Oct. 5, 1988—Approved by the Committee and ordered fovorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

SKINNER, BLAINE, of Idaho, to be U.S. Marshal for the District of Idaho for the term of 4 years, reappointment.
Jan. 20, 1987—Referred.
Mar. 19, 1987—Approved by the Committee and ordered favorably reported.
Mar. 19, 1987—Reported to the Senate by Mr. Biden.
Mar. 20, 1987—Confirmed by the Senate.

SOLIS, ALFONSO, of New Mexico, to be U.S. Marshal for the District of New Mexico for the term of 4 years, vice Rudolph G. Miller, resigned.
Sept. 11, 1987—Referred.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

WILLIAMS, DWIGHT G., of Mississippi, to be U.S. Marshal for the Northern District of Mississippi for the term of 4 years, reappointment.
Mar. 13, 1987—Referred.
Apr. 29, 1987—Approved by the Committee and ordered favorable reported.
May 1, 1987—Reported to the Senate by Mr. Byrd (for Mr. Biden).
May 7, 1987—Confirmed by the Senate.

WRIGHT, DANIEL B., of New York, to be U.S. Marshal for the Western District of New York for the term of 4 years, reappointment.
Apr. 27, 1987—Referred.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 1, 1987—Confirmed by the Senate.

COMMISSIONS

CASS, RONALD A., of Massachusetts, to be a member of the U.S. International Trade Commission for the term expiring June 16, 1996, vice Paula Stern, resigned, to which position he was appointed during the recess of the Senate.
Jan. 26, 1988—Referred.
Aug. 11, 1988—Confirmed by the Senate.

CONWAY, FRANK H., of Massachusetts, to be a member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 1990, reappointment.
Sept. 23, 1987—Referred.
Dec. 3, 1987—Approved by the Committee and ordered favorably reported.
Dec. 3, 1987—Reported to the Senate by Mr. Biden.
Dec. 8, 1987—Confirmed by the Senate.

GLOD, STANLEY J., of Virginia, to be Chairman of the Foreign Claims Settlement Commission of the United States for the remainder of the term expiring September 30, 1988, vice Bohdan J. Futey, resigned.
Mar. 14, 1988—Referred.
Aug. 3, 1988—Approved by the Committee and ordered favorably reported.
Aug. 4, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).
Aug. 4, 1988—Confirmed by the Senate.
Oct. 5, 1988—Referred for reappointment for the term expiring September 30, 1991.
Oct. 14, 1988—Confirmed by the Senate.

KABEL, ROBERT J., of Virginia, to be a member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 1989, vice Joseph Wentling Brown, term expired.
Dec. 18, 1987—Referred.
Feb. 4, 1988—Approved by the Committee and ordered favorably reported.
Feb. 4, 1988—Reported to the Senate by Mr. Biden.
Feb. 19, 1988—Confirmed by the Senate.

NEWQUIST, DON E., of Texas, to be a member of the U.S. International Trade Commission for the remainder of the term expiring December 16, 1997, vice Susan Wittenberg Liebler.
Jan. 26, 1988—Referred.
Aug. 11, 1988—Confirmed by the Senate.

SAMUELS, JEFFREY M., of Virginia to be an Assistant Commissioner of Patents and Trademarks, vice Margaret Muth Laurence.
Aug. 7, 1987—Referred.
Oct. 29, 1987—Approved by the Committee and ordered favorably reported.
Oct. 30, 1987—Reported to the Senate by Mr. Biden.
Nov. 5, 1987—Confirmed by the Senate.

OTHER NOMINATIONS

BROWN, JOSEPH WENTLING, of Nevada to be a member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1989, new position.
Apr. 13, 1988—Referred.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1987—Confirmed by the Senate.

DAFFRON, JOHN F., JR., of Virginia, to be a member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1991 (reappointment).
Aug. 11, 1988—Referred.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1987—Confirmed by the Senate.

ERICKSTAD, RALPH, J., of North Dakota, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1989.
Apr. 23, 1987—Referred.
June 23, 1987—Approved by the Committee and ordered favorably reported.
June 23, 1987—Reported to the Senate by Mr. Biden.
July 1, 1987—Confirmed by the Senate.

FLORES-HUGHES, GRACE, of Texas, to be Director, Community Relations Service, for a term of 4 years, vice Gilbert G. Pompa, deceased.
Dec. 4, 1987—Referred.
Apr. 28, 1988—Full Committee hearing.
May 12, 1988—Approved by the Committee and ordered favorably reported.
May 12, 1988—Reported to the Senate by Mr. Byrd (for Mr. Biden).

MEADOR, DANIEL JOHN, of Virginia, to be a member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1991 (reappointment).
Aug. 9, 1988—Referred.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

MUSGRAVE, KENTON R., of California, to be a Judge of the U.S. Court of International Trade, vice Morgan Ford, retired.
July 2, 1987—Referred.
Oct. 22, 1987—Full Committee hearing.
Nov. 5, 1987—Approved by the Committee and ordered favorably reported.
Nov. 5, 1987—Reported to the Senate by Mr. Biden.
Nov. 6, 1987—Confirmed by the Senate.

TORBERT, CLEMENT CLAY, JR., of Alabama, to be a member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1991 (reappointment).
Aug. 9, 1988—Referred.
Oct. 5, 1988—Approved by the Committee and ordered favorably reported.
Oct. 5, 1988—Reported to the Senate by Mr. Biden.
Oct. 14, 1988—Confirmed by the Senate.

VII. MEASURES NOT REFERRED TO SUBCOMMITTEE THAT WERE ENACTED INTO LAW

During the 100th Congress, 186 measures held at the full committee were enacted into law. The major non-commemorative measures are discussed below.

National Narcotics Leadership Act

Senator Biden introduced S. 789, the National Narcotics Leadership Act of 1987, on March 19, 1987. The bill proposed to establish a Cabinet-level national drug policy director to lead the federal government's anti-drug effort. The committee held a hearing on the bill on May 14, 1987, and received testimony from Attorney General Edwin Meese III, representatives from the General Accounting Office and the Office of Technology Assessment and several high-ranking former federal officials involved in drug enforcement and prevention.

The basic text of S. 789 was subsequently included as Title I of S. 2852, a omnibus anti-drug package introduced on October 3, 1988, by the Democratic and Republican leadership of the Senate. On October 14, 1988, the House and Senate passed H.R. 5210, the Anti-Drug Act of 1988. Title I of H.R. 5210 is based on Senator Biden's drug director proposal. President Reagan signed H.R. 5210 into law on November 18, 1988.

The Criminal and Juvenile Justice Partnership Act of 1987

On May 20, 1987, Senator Biden introduced S. 1250, the Criminal and Juvenile Justice Partnership Act. The bill reauthorized a variety of state and local criminal and juvenile justice assistance programs, particularly in the area of crime and drug control.

Two field hearings were held on the bill, the first on March 10, 1988, in Cleveland, Ohio, and the second on April 20, 1988, in Tucson, Arizona. A third hearing was held on May 13, 1988, in Washington, D.C.

The text of S. 1250 was subsequently included in the Anti-Drug Abuse Act of 1988. The final language streamlined the anti-crime and anti-drug block grants into one criminal justice block grant and authorized more than $1 billion in funds through 1992. Several other important state and local crime, drug, victims and juvenile justice programs were also reauthorized through 1992. The Anti-Drug Abuse Act of 1988 was enacted on November 18, 1988.

The Genocide Convention Implementation Act of 1987 (the Proxmire Act)

Senators Biden, Proxmire and Metzenbaum introduced S. 1851, the Genocide Convention Implementation Act of 1987, on Novem-

ber 5, 1987. The purposes of the bill were to implement the International Convention on the Prevention and Punishment of the Crime of Genocide; to create a new federal offense that prohibits the commission of acts with the specific intent to destroy, in whole or in substantial part, a national ethnic, racial or religious group; and to provide adequate penalties for such acts.

The committee held a hearing on the bill on February 19, 1988, with testimony from representatives of the Departments of Justice and State and several concerned groups.

The committee reported the bill on May 11, 1988, without opposition. The name of the bill was also amended to be the "Proxmire Act." The Senate passed S. 1851 on October 14, 1988, and the bill was enacted on November 4, 1988.

The McNally Anti-Corruption Bill

On September 15, 1988, Senator Biden introduced S. 2793, an anti-corruption bill to overturn the Supreme Court's decision in *McNally* v. *United States*. The bill would have restored the intangible rights doctrine to the mail and wire fraud statutes (with some limitations), and would have created a new statute aimed specifically at public corruption. Under the intangible rights doctrine, it is a violation of the mail and wire fraud statutes to defraud another person of certain rights, such as the right to honest government, or the right to the honest services of an employee.

The bill was reported out of committee unanimously and passed the Senate by voice vote on October 14, 1988, but was not considered by the House. However, a provision sponsored by Rep. Conyers that merely restored the intangible rights doctrine to its pre-*McNally* status was included in the Anti-Drug Abuse Act of 1988, and became law when the President signed the bill on November 18, 1988.

The Minor and Technical Amendments Act

On June 8, 1988, Senator Biden, together with Senators Kennedy, Thurmond and Hatch, introduced S. 2485, a bill that made numerous minor and technical changes to the criminal law. Most of the changes related to the provisions of the Anti-Drug Abuse Act of 1986.

The bill was placed directly on the Senate calendar and passed the Senate by voice vote on June 17, 1988. When the House took no action on the bill, it was included as a separate subtitle of the Senate version of the Anti-Drug Abuse Act of 1988 on October 14, 1988. Most of the provisions were then accepted by the House and became law when the President signed the bill on November 18, 1988.

The Major Frauds Act

H.R. 3911 was originally introduced by Congressman William Hughes as H.R. 3500. At the Subcommittee on Crime's mark-up, Mr. Hughes offered an amendment in the nature of a substitute that was reported as H.R. 3911. The full House Judiciary Committee adopted two clarifying amendments and favorably reported the

bill to the House of Representatives by voice vote. The House approved by bill under suspension of the rules on May 10, 1988.

Upon reception by the Senate, H.R. 3911 was referred to the Judiciary Committee. The committee held a hearing on July 12, 1988. On August 10, 1988, the bill was ordered favorably reported by the committee. The bill passed the Senate on October 18, 1988 and was signed into law on November 19, 1988.

The legislation creates a new offense (18 U.S.C. 1031) of defrauding the United States in connection with any procurement contract of $1,000,000 or more in value. The maximum penalty for defrauding the United States in such as case is 10 years in prison and/or a fine of $1,000,000 or twice the amount of gain to the defendant or loss to the government, whichever is greater. The seven year statute of limitations for this offense is longer than the limitations period for other federal felonies and reflects the difficulty in detecting and investigating this type of complex fraud.

The Child Protection and Obscenity Enforcement Act

On February 4, 1988, Senator Thurmond introduced S. 2033, a bill to amend the criminal law regarding obscenity and child pornography by creating new offenses, expanding federal jurisdiction and permitting the government to forfeit the assets of pornographers. A compromise bill was drafted by Senators Thurmond and Biden, and passed the Senate by a unanimous vote on September 28, 1988, as an amendment to S. 2488, the Parental and Medical Leave Act of 1988. The compromise version was passed again on October 14, 1988, as part of the Senate version of the Anti-Drug Abuse Act. After further amendments were made in a conference with the House, the bill was included in the 1988 Anti-Drug Abuse Act on October 21, 1988 and became law when signed by the President on November 18, 1988.

VIII. MEASURES NOT REFERRED TO SUBCOMMITTEE THAT WERE ACTIVELY CONSIDERED*

During the 100th Congress, 59 measures were held at and actively considered by the full committee. The major non-commemorative measures are discussed below.

The Integrity in Post-Employment Act

On January 6, 1987, Senator Thurmond, along with Senators Metzenbaum and Specter, introduced S. 237, the Integrity in Post-Employment Act of 1987. Among other things, the bill prohibited Members of Congress and officers and employees of the United States Government from attempting to influence the United States Government or from representing or advising a foreign entity for a proscribed period after such officer or employee leaves government service.

S. 237 was approved by the committee and ordered favorably reported with an amendment on May 19, 1987. Many of the provi-

*Two bills held at the full committee, S. 430 and S. 806, are discussed in the section on the Subcommittee on Antitrust, Monopolies and Business Rights.

sions in the bill were addressed in H.R. 5043, as amended, which was sent to and pocket-vetoed by the President.

Amending the Racketeer Influenced and Corrupt Organizations Act

On July 22, 1987, Senator Metzenbaum introduced S. 1523, which would amend the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. 1961 et seq.). The central issue addressed in the bill relates to the potential damage recovery available to private parties under civil RICO. The other provisions address various matters related to bringing suit under RICO.

Full committee hearings on the bill were held on October 29, 1987, November 10, 1987, and May 19, 1988. At the May 19 hearing, the committee addressed the issue of firearms and the question of whether federal firearms felonies should be a basis for action under RICO. The hearing explored an amendment to the original bill that would have added a number of the federal firearms felonies, including the knowing sale of guns to convicted felons, the knowing receipt of guns by convicted felons, the knowing trafficking in stolen firearms and the trafficking in firearms by convicted felons.

On May 24, 1988, the bill was approved by the committee and ordered favorably reported, with amendments. On August 8, 1988, the bill was reported to the Senate with and amendment in the nature of a substitute.

Justice Department Authorization Bills

On February 5, 1987, Senators Biden and Thurmond introduced, by request, S. 517, a bill to authorize appropriations for the Department of Justice for fiscal 1988. The committee conducted eight days of oversight hearings on the department's activities and budget request. Incorporating the views of a bipartisan majority of the committee members, Senators Biden and Thurmond drafted a new two-year authorization bill, S. 938, and introduced it on April 7, 1987. By unanimous vote, the committee reported S. 938 without amendment on April 9, 1987. S. 938 passed the Senate by unanimous consent on July 31, 1987. This was the first Justice Department authorization bill passed by the Senate since 1981.

IX. OTHER MATTERS NOT REFERRED TO SUBCOMMITTEE

Sixty-eight other measures were held at the full committee:

1. S. 17, A bill to provide for the additional funding for comprehensive drug law enforcement, prevention, and treatment. (D'Amato) January 6, 1987.
2. S. 35, A bill to charter the National Academy of Social Insurance. (Moynihan and Heinz) January 6, 1987.
3. S. 134, A bill to allow the psychiatric or psychological examinations required under Chapter 313 of Title 18, United States Code, relating to offenders with mental disease or defect to be conducted by a clinical social worker. (Inouye) January 6, 1987.
4. S. 135, A bill to allow the psychiatric or psychological examination required under Chapter 313 of Title 18, United States Code, relating to offenders with mental disease or defect to be conducted by a psychiatric nurse practitioner or a clinical nurse specialist. (Inouye) January 6, 1987.
5. S. 181, A bill entitled the "Public Safety Officers' Death Benefits Amendments of 1987." (Riegle) January 6, 1987.

6. S. 215, A bill to amend Chapter 13 of Title 18 of the United States Code. (Sasser) January 6, 1987.

7. S. 238, A bill to amend Section 534 of Title 28, United States Code, to allow railroad police and private university or college police access to Federal Government criminal identification records. (Thurmond) January 6, 1987.

8. S. 339, A bill to protect internal security of the United States against international terrorism by making the use of a firearm to commit a felony by foreign diplomats in the United States a federal felony. (Specter) January 20, 1987.

9. S. 407, A bill to grant a federal charter to the Challenger Center, and for other purposes. (Garn) January 28, 1987.

10. S. 411, A bill to authorize appropriations for the purpose of carrying out the National Violent Crime Program for fiscal year 1988 and for other purposes. (Specter) January 29, 1987.

11. S. 413, A bill to require states to assure prisoners have training in a marketable job and basic literacy before releasing them on parole. (Specter) January 29, 1987.

12. S. 414, A bill to authorize incarceration in federal prisons of convicts sentenced to life imprisonment under the habitual criminal statute of a state. (Specter) January 29, 1987.

13. S. 517, A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1988 and for other purposes. (Biden) February 5, 1987.

14. S. 542, A bill to recognize the organization known as the "Retired Enlisted Association, Incorporated". (Armstrong) February 19, 1987.

15. S. 588, A bill to designate September 17 of every year as "Constitution Day" and to establish such a day as a legal holiday with certain limitations. (Hatch) February 26, 1987.

16. S. 699, A bill to designate September 17, 1987, the bicentennial of the signing of the Constitution of the United States, as "Constitution Day", and to make such day a legal public holiday. (Stevens) March 10, 1987.

17. S. 714, A bill to recognize the organization known as the Montford Point Marine Association, Inc. (Specter) March 11, 1987.

18. S. 726, A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide states with assistance to establish or expand clearinghouses to locate missing children. (McConnell) April 12, 1987.

19. S. 771, A bill granting the consent of Congress to the Connecticut, Rhode Island, Massachusetts, New York, Maryland, Delaware, Pennsylvania, and New Jersey Rail Improvements Compact. (Pell) March 18, 1987.

20. S. 855, A bill to amend section 1307 of title 18, United States Code, to allow nonprofit organizations to advertise bingo. (Daschle) March 26, 1987.

21. S. 988, A bill to amend section 2314 of title 18, United States Code, relating to transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting. (Roth) April 9, 1987.

22. S. 1015, A bill to increase criminal monetary penalties based on the effect of inflation. (Lautenberg) April 10, 1987.

23. S. 1023, A bill to authorize the expenditure of funds not needed for purposes of the Department of Justice Assets Forfeiture Fund and the Customs Forfeiture Fund for purposes of emergency prison construction. April 10, 1987.

24. S. 1061, A bill relating to enforcement of the restrictions against imported pornography. (Trible) April 21, 1987.

25. S. 1180, A bill to amend the Christopher Columbus Quincentenary Jubilee Act. (DeConcini) May 5, 1987.

26. S. 1288, A bill to designate July 20 of each year as "Space Exploration Day". (Garn) May 28, 1987.

27. S. 1359, A bill to recognize the organization known as the Red River Valley Fighter Pilot Association. (McCain) June 11, 1987.

28. S. 1361, A bill to amend the Controlled Substances Act to suppress the diversion and trafficking of precursor chemicals and essential chemicals utilized in the illicit manufacture of controlled substances. (DeConcini) June 11, 1987.

29. S. 1473, A bill to postpone implementation of the sentencing guidelines promulgated by the United States Sentencing Commission until May 1, 1989. (Dixon) July 8, 1987.

30. S. 1551, A bill to grant the consent of Congress to the Appalachian States Low-Level Radioactive Waste Compact. (Roth) July 24, 1987.

31. S. 1573, A bill to amend Section 1853 of the Act of June 25, 1948. (McClure) July 30, 1987.

32. S. 1599, A bill to recognize the organization known as the American Philatelic Society. (Levin) August 6, 1987.

33. S. 1676, A bill to amend the Comprehensive Crime Control Act of 1984 to provide for an orderly transition into sentencing with guidelines and for other purposes. (DeConcini) September 10, 1987.

34. S. 1694, A bill to extend the authorization of the Victim Compensation and Assistance Act. (Nickles) September 19, 1987.

35. S. 1803, A bill to amend Title 39, U.S. Code, to prohibit the mailing of certain locksmithing devices and for other purposes. (Adams) October 20, 1987.

36. S. 1861, A bill to amend the Controlled Substances Act to suppress the diversion and trafficking of precursor chemicals and essential chemicals utilized in the illicit manufacture of controlled substances. (DeConcini) November 11, 1987.

37. S. 1897, A bill to recognize the organization known as the National Association of State Directors of Veterans' Affairs, Inc. (Thurmond) November 20, 1987.

38. S. 1898, A bill to amend chapter 1 of title 1, U.S. Code, to include the definition of fraud for the purposes of Federal laws fraud involving intangible rights. (Specter) November 30, 1987.

39. S. 1913, A bill to designate the third week of June of each year as "National Dairy Goat Awareness Week". (Helms) December 3, 1987.

40. S. 1938, A bill to establish a commission to investigate Federal involvement with the immigration of Nazi collaborators. (Metzenbaum) December 10, 1987.

41. S. 1939, A bill to grant a Federal charter to the Challenger Center, and for other purposes. (Garn) December 10, 1987.

42. S. 2021, A bill to protect children from sexual exploitation. (Grassley) February 1, 1988.

43. S. 2036, A bill to redefine "extortion" for purposes of the Hobbs Act. (Thurmond) February 4, 1988.

44. S. 2059, A bill to amend title 18, United States Code, to punish a Federal criminal offense the crimes of international parental abduction. (Dixon) February 17, 1988.

45. S. 2065, A bill to recognize the organization known as "Veterans of the Vietnam War, Inc." (Heinz) February 17, 1988.

46. S. 2076, A bill to amend the Inspector General Act of 1978. (Specter) February 19, 1988.

47. S. 2080, A bill to establish an Arms Control Competitive and Economic Adjustment Commission; to provide for the functions, authorities, and obligations thereof, and for other purposes. (Hatch) February 22, 1988.

48. S. 2205, A bill to enact the Omnibus Antidrug Abuse Act of 1988, and for other purposes. (DeConcini) March 23, 1988.

49. S. 2465, A bill to amend title 18, of United States Code, to extend penalties for the operation of a locomotive, and to provide increased penalties for the operation of a common carrier, under the influence of alcohol or drugs if such operation results in serious bodily injury or death. (Thurmond) June 6, 1988.

50. S. 2506, A bill to extend the authorization of appropriations under the Runaway and Homeless Youth Act. (Thurmond) June 13, 1988.

51. S. 2531, A bill to amend title 18 of the U.S. Code to create a criminal offense for public corruption. (McConnell) June 17, 1988.

52. S. 2538, A bill to authorize additional personnel positions in the Los Angeles, CA, area for Government entities involved in the war on drugs. (Cranston) June 17, 1988.

53. S. 2551, A bill to provide additional enforcement authority for the Forest Services to deal with the production of controlled substances on the National Forest System, and for other purposes. (Harkin) June 21, 1988.

54. S. 2552, A bill entitled the "INTERPOL Authorities Act of 1988". (Thurmond) June 22, 1988.

55. S. 2557, A bill to amend title 18 United States Code to permit the incarceration in Federal prisons of State prisoners sentenced to a State Career criminal or habitual offender statute. (Specter) June 23, 1988.

56. S. 2569, A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to establish and support prevention and treatment programs relating to juvenile gangs. (Bradley) June 27, 1988.

57. S. 2651, A bill to implement, the U.S.-Canada Free-Trade Agreement. (Byrd) July 25, 1988.

58. S. 2660, A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1989 through 1992 for transitional living projects. (Simon) July 27, 1988.

59. S. 2685, A bill to establish criminal penalties for the dumping of health care facility waste. (Lautenberg) August 4, 1988.

60. S. 2688, A bill to incorporate ChildHelp USA, Incorporated. (Wilson) August 5, 1988.

61. S. 2733, A bill to amend title 18, U.S. Code to prohibit any person who is being compensated for lobbying the Federal Government from being paid on a contingency fee basis. (Thurmond) August 11, 1988.

62. S. 2790, A bill entitled "Narcotics Enforcement simplification Amendment of 1988". (Durenberger) September 4, 1988.

63. S. 2796, A bill to authorize funding for the Martin Luther King, Jr., Federal Holiday Commission. (Nunn) September 15, 1988.

64. S. 2829, A bill to require Federal departments and agencies to participate in the Federal Uniform Crime Reports program. (Bingaman) September 16, 1988.

65. S. 2863, A bill to establish constitutional procedures for the imposition of the death penalty for certain Federal offenses. (Specter) October 5, 1988.

66. S. 2868, A bill for the relief of Hoar Construction, Inc. of Birmingham, AL, to settle certain claims filed against the Small Business Administration. (Heflin) October 6, 1988.

67. S. 2881, A bill to amend the copyright laws to permit the unlicensed viewing of videos under certain conditions. (Roth) October 12, 1988.

68. S. 2903, A bill to amend the Lanham Trademark Act regarding gray market goods. (Hatch) October 14, 1988.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEES OF THE COMMITTEE ON THE JUDICIARY

The six subcommittees of the Committee on the Judiciary also took action on a significant amount of legislation and conducted a number of legislative, oversight and investigatory hearings. The following sections briefly summarize the activities and accomplishments of each subcommittee.

SUBCOMMITTEE ON IMMIGRATION AND REFUGEE AFFAIRS

I. Members of the Subcommittee

Mr. Kennedy, *Chairman*

Mr. Simon — Mr. Simpson

II. Jurisdiction

The subcommittee's jurisdiction includes immigration and naturalization; refugees and refugee policy; and oversight of Immigration and Naturalization Service.

III. Legislative Activities

There were 36 Senate and House bills referred to subcommittee. One hundred and seven bills granting private immigration relief were referred to the subcommittee. Twenty-three of these bills were favorably reported to the full Judiciary Committee, and 19 passed both Houses of Congress and became private law.

Four days of hearings were held on S. 332, to suspend temporarily the deportation of certain Salvadoran and Nicaraguan nationals in the United States. The bill was marked up by full committee and reported to the Senate.

Two days of hearings were held on S. 1611, revising the numerical limits and preference system regulating legal immigration. The bill was favorably reported by the subcommittee, and was reported by the full committee to the Senate.

S. 2605, Refugee Resettlement Extension Act of 1988 was reported by the Judiciary Committee without referral to the subcommittee. No hearings were held.

The following oversight hearings were held: Refugee Crisis in Southern Africa; Oversight and Authorization of the Immigration and Naturalization Service (full committee hearing but chaired and staff by Immigration Subcommittee); Aspects of the Early Implementation of the Immigration Reform and Control Act of 1986; Mid-year Consultations on Refugee Programs; Implementation of Immigration Reform; and Consultation on Refugee Admissions for fiscal 1989.

IV. Measures Enacted Into Law

Public Law 100-525. S. 2479, technical corrections to the Immigration and Nationality Act (not formally referred to Subcommittee). This legislation was developed with members of the House Judiciary Committee. Because of its technical nature, the bill was considered and adopted immediately by the Senate without referral to the committee. It was approved by the House Judiciary Committee, adopted by the House and signed into law on October 24, 1988.

Public Law 100-658. H.R. 5115, Immigration Amendments of 1988. This legislation extends for two years Section 314 of the Immigration and Reform Control Act of 1986, makes additional visas available to immigrants from underrepresented countries to enhance diversity in immigration, and extends through December 31, 1989, H-1 nonimmigrant status for certain registered nurses.

V. Other Measures Actively Considered

None.

VI. Other Measures Considered

None.

VII. Oversight Activities

The Chairman and Ranking Member sent special staff missions to study three major refugee challenges.

The first study mission was to Indochina (August-September 1987) and included Thailand, Laos, Vietnam and Burma. The study mission reported to the subcommittee on the problems of Indochinese refugees in Thailand, the special assistance and protection needs of Cambodian refugees along the Thai-Cambodian border, the prospects for strengthened repatriation arrangements with Laos, and options for expanding the programs for direct departures from Vietnam for refugees, political prisoners and Amerasian children.

The second study mission was to Pakistan (April 1988) to examine the needs of three million Afghan refugees in that country. The study mission came at the time of the Geneva agreement on Soviet withdrawal. As a result, the study mission concentrated on the prospects and needs for an orderly voluntary repatriation program for the Afghan refugees once conditions in Afghanistan permitted their return. The study mission's findings and recommendation were published by the committee (Senate Report 100-110).

The third major study mission of the subcommittee was to the Horn of Africa (December 1988). The study mission focused on the prospects for peace and relief for the three million Sudanese refugees and displaced persons in the region and of the emergency assistance needs of Somali refugees in Ethiopia.

SUBCOMMITTEE ON ANTITRUST, MONOPOLIES AND BUSINESS RIGHTS

I. Members of the Subcommittee

Mr. Metzenbaum, *Chairman*

Mr. DeConcini	Mr. Thurmond
Mr. Heflin	Mr. Specter
Mr. Simon	Mr. Humphrey
Mr. Kennedy	Mr. Hatch

II. Jurisdiction

The subcommittee's jurisdiction includes all antitrust laws, including the Sherman Act and the Clayton Act; and oversight of antitrust enforcement policies of Justice Department.

III. Legislative Activities

During the 100th Congress, 20 bills were referred to the subcommittee.

During the 100th Congress, the subcommittee held hearings on the following issues:

(1) Reform of Hart-Scott-Rodino Act (S. 431 and S. 432), February 26, 1987.
(2) Railroad Antitrust Immunity (S. 443), May 13, 1987.
(3) Antitrust Remedies Improvement Act (S. 1407 and S. 635), June 30, 1987 and March 31, 1988.
(4) Malt Beverage Interbrand Competition Act (S. 567), August 4, 1987.
(5) Licensing of Intellectual Property (S. 438) (Joint Hearing with Subcommittee on Technology and the Law), October 20, 1987.

The subcommittee held the following markups during the 100th Congress:

(1) S. 431, To amend the Hart-Scott-Rodino Antitrust Improvements Act of 1976, March 19, 1987.
(2) S. 432, To improve the review of proposed mergers under the Hart-Scott-Rodino Improvements Act of 1976 (polled out of subcommittee on April 29, 1987).
(3) S. 438, To modify the application of the antitrust laws to encourage the licensing and other use of certain intellectual property (discharged from subcommittee by unanimous consent).
(4) S. 567, The Malt Beverage Interbrand Competition Act, November 18, 1987.
(5) S. 488, To grant the television industry an exemption from antitrust laws that is carefully limited intime and scope (polled out of subcommittee on October 28, 1987).
(6) S. 1068, To prohibit interlocking directorates (polled out of subcommittee on April 29, 1987).

The following hearings on antitrust-related issues were held at the full committee:

(1) Justice Department Oversight, February 4, 1987.
(2) McCarran-Ferguson Exemption (S. 80), February 18, 1987.
(3) Evidentiary Standards for Proving Resale Price Meaintenance (S. 430), April 23, 1987.
(4) Confirmation of Richard Rule to be Assistant Attorney General for the Antitrust Division, May 28, 1987.
(5) McCarran-Ferguson Exemption (S. 1299), June 2, 1987 and June 14, 1988.

IV. Antitrust Measures Enacted Into Law

None.

V. Other Measures Actively Considered

A. Antitrust Measures Passed by Senate

THE TELEVISION VIOLENCE ACT OF 1988

S. 844, the Television Violence Act of 1988, was introduced by Senator Simon on March 25, 1987. The bill exempts from the antitrust laws any joint discussion, consideration, review, action, or agreement by or among persons in the television industry for the purpose of developing and disseminating voluntary guidelines designed to alleviate the negative impact of violence in telecast material, provided such joint endeavor does not result in a boycott of any person. The bill applies such exemption to activities conducted within 36 months after enactment of this Act.

Hearings were held by the Antitrust Subcommittee on June 25, 1987. On December 3, 1987, the full committee ordered it to be reported with an amendment in the nature of a substitute favorably. (Written report No. 100-365). It passed the Senate on June 8, 1988, by voice vote. On June 10, 1988, the message on Senate action was sent to the House and was referred to House Committee on the Judiciary.

A BILL TO AMEND THE CLAYTON ACT REGARDING INTERLOCKING DIRECTORATES AND OFFICERS

S. 1068 was introduced by Senator Metzenbaum and Senator Thurmond on April 22, 1987. The bill amends the Clayton Act to prohibit any person from serving as a director or officer (currently, director only) of any two corporations if each (currently, if any) of such corporations has capital, surplus, and undivided profits aggregating more than $10,000,000 (currently, $1,000,000). It establishes exceptions to such interlocking directorate and officer prohibition where: (1) the aggregate competitive sales of either corporation are less than $1,000,000; (2) the aggregate competitive sales of either corporation are less than one percent of that corporation's total sales; or (3) the aggregate competitive sales of each corporation are less than four percent of that corporation's total sales. The bill increases or decreases the $10,000,000 and $1,000,000 threshold amounts by the percentage increase or decrease in the gross national product for the preceding fiscal year. The bill also provides that a director or officer shall not be deemed ineligible under the provisions of this Act until the expiration of one year from the date the ineligibility occurred, or, if practical, the next election of directors, whichever occurs first.

The bill includes, for purposes of determining the applicability of premerger notification and waiting period requirements, in the annual net sales and total assets of a partnership the annual net sales or total assets of any general partner and any partner having the right to 50 percent or more of the profits of the partnership, or

having the right in the event of dissolution to 50 percent or more of the assets of the partnership.

The bill revises the premerger notification and waiting period requirements under the Act.

The bill applies such requirements to proposed mergers where the total assets or annual net sales of the smaller or the acquiring party or the target party equal or exceed $15,000,000 (currently, $10,000,000) and the aggregate amount of voting securities and assets of the target party that the acquiring party would hold exceeds $20,000,000 (currently, $15,000,000).

The bill increases to 20 days (currently, 15 days) the waiting period following notification of a proposed merger in the case of a cash tender offer. It eliminates the 10-day extension on such waiting period (and thus permits a 20-day extension) with respect to proposed mergers involving cash tender offers.

The bill permits the U.S. district court to extend such waiting period up to an additional 25 days if, due to the complexity or scope of the information to be evaluated, the Federal Trade Commission or the Assistant Attorney General requires such additional time to determine whether the proposed merger may violate the antitrust laws.

On May 19, 1987, the committee ordered the bill favorably reported wtih an amendment. (Written report No. 100–89) On July 31, 1987, it was laid before the Senate by unanimous consent. On July 31, 1987, Amendment SP 654 (the text of S. 431) was agreed to in the Senate by voice vote. On July 31, 1987, it passed the Senate with amendments by voice vote. On August 4, 1987, the message on Senate action was sent to the House and the measure was referred to the House Committee on the Judiciary.

A BILL TO AMEND THE CLAYTON ACT REGARDING PARTNERSHIPS

S. 431 was introduced by Senators Metzenbaum, DeConcini and Simon on February 2, 1987. This bill amends the Clayton Act (as amended by the Hart-Scott-Rodino Antitrust Improvements Act of 1976) to include, for purposes of determining the applicability of premerger notification and waiting period requirements, in the annual net sales and total assets of a partnership the annual net sales or total assets of any general partner and any partner having the right to 50 percent or more of the profits of the partnership, or having the right in the event of dissolution to 50 percent or more of the assets of the partnership.

The subcommittee held a hearing on February 26, 1987. On March 19, 1987, the bill was favorably approved by the subcommittee with an amendment in the nature of a substitute. On April 8, 1987, the full committee marked up the bill. On April 29, 1987, the full committee ordered the bill to be favorably reported with an amendment in the nature of a substitute. (Written report No. 100–88). On July 31, 1987, the Senate incorporated the measure in S. 1068 as an amendment.

A BILL TO AMEND THE CLAYTON ACT REGARDING MERGERS

On February 2, 1987, Senator Metzenbaum introduced S. 432. The bill amends the Clayton Act to revise premerger notification

and waiting period requirements. It applies such requirements to proposed mergers where the total assets or annual net sales of the smaller of the acquiring party or the target party equal or exceed $15,000,000 (currently, $10,000,000) and the aggregate amount of voting securities and assets of the target party that the acquiring party would hold exceeds $20,000,000 (currently, $15,000,000).

The bill increases to 20 days (currently, 15 days) the waiting period following notification of a proposed merger in the case of a cash tender offer, and eliminates the 10-day extension on such waiting period (and thus permits a 20-day extension) with respect to proposed mergers involving cash tender offers.

The bill permits the U.S. district court to extend such waiting period up to an additional 25 days if, due to the complexity or scope of the information to be evaluated, the Federal Trade Commission or the Assistant Attorney General requires such additional time to determine whether the proposed merger may violate the antitrust laws.

A subcommittee hearing was held on February 26, 1987. On May 19, 1987, the full committee ordered the bill to be favorably reported with an amendment in the nature of a substitute. (Written report No. 100-115) On July 31, 1987, the Senate incorporated this measure in S. 1068 as an amendment.

B. Antitrust Measures Reported by the Judiciary Committee

THE RETAIL COMPETITION ENFORCEMENT ACT OF 1987

On February 2, 1987, Senator Metzenbaum introduced S. 430, which was held at the full committee. The bill amends the sherman Act to set forth evidentiary standards for price-fixing actions. It requires the court to allow the issue of concerted action to fix prices to be decided by the trier of fact if there is sufficient evidence from which a trier of fact could reasonably conclude that: (1) the supplier of a good or service received from a competitor of a reseller an express or implied suggestion, request, or demand that the supplier take steps to curtail or eliminate price competition; (2) sales or supplies to the reseller were terminated by the supplier because of such communication. The bill provides that the fact that a supplier and a reseller entered into an agreement to establish the resale price of a good or service shall be sufficient to constitute a price-fixing violation.

On April 23, 1987, a full committee hearing was held. On August 6, 1987, the committee ordered the bill to be favorably reported with an amendment in the nature of a substitute. (Written report No. 100-280.) On June 21, 1988, a motion to proceed to consideration of the measure was agreed to by the Senate.

THE AIRLINE COMPETITION ACT OF 1987

ON March 20, 1987, Senator Metzenbaum introduced S.806, which was held at the full committee. The bill amends the Federal Aviation Act of 1958 to terminate on October 1, 1987, (currently, January 1, 1989) the authority of the Secretary of Transportation to approve and exempt from the antitrust law airline agreements relating to interstate and overseas air transportation. It prohibits

conduct pursuant to orders and exemptions granted under such authority prior to October 1, 1987, from being subject to the antitrust laws.

The bill terminates, upon enactment of this act, the Secretary's authority to exempt from the antitrust laws transactions relating to airline mergers and acquisitions and interlocking directorates among airlines. (Current law terminates such authority on January 1, 1989.) It provides that rights, duties, and obligations arising pursuant to proceedings commenced before the Department of Transportation prior to April 1, 1987, or final orders adopted prior to enactment of this Act by the Secretary or the Civil Aeronautics Board with regard to such transactions, shall be adjudicated and administered as if such authority had not been terminated.

The bill amends the Clayton Act to prohibit any air carrier or foreign air carrier that is subject to the Federal Aviation Act of 1958, any person controlling such carriers, any other common carrier, or any person substantially engaged in the aeronautics business from acquiring the stocks or assets of one or more persons engaged in commerce where the effect of such acquisition may substantially lessen competition or tend to create a monopoly.

The bill terminates the authority of the Secretary to enforce the antitrust provisions of the Clayton Act with respect to air carriers and foreign air carriers who are subject to the Federal Aviation Act of 1958. It excludes such carriers from the antitrust authority of the Federal Trade Commission.

On April 8, 1987, the full committee ordered the bill to be favorably reported with an amendment. (Report No. 100-61.)

C. Antitrust Measures Reported by the Antitrust Subcommittee

THE MALT BEVERAGE INTERBRAND COMPETITION ACT

On February 19, 1987, Senator DeConcini introduced S. 567. The bill declares that no antitrust law shall prohibit the importer, brewer, or trademark licensee of a trademarked malt beverage, when such beverage has substantial competition from other malt beverages in an area, from: (1) entering into an agreement granting a wholesale distributor the exclusive right to sell such beverage within any defined geographic area within a State; or (2) limiting such distributor to the sale of such beverage for ultimate resale to consumers in such area. The bill also declares that this act shall not affect any provision of any state law.

On August 4, 1987, a subcommittee hearing was held. On November 18, 1987, the bill was favorably approved for full committee consideration with amendments.

VI. Other Measures Considered

A. Other Measures Considered by the Subcommittee

(1) *S. Res. 291*—Specter—A resolution to express the sense of the Senate that the Antitrust Division of the Department of Justice should study and report to the Congress on National Football League telecasting.

(2) *S. 361*—Specter—Unfair Foreign Competition Act of 1987.

(3) *S. 443*—DeConcini—A bill to Amend the Clayton Act regarding damage liability and coverage.

(4) *S. 572*—DeConcini—Foreign Trade Antitrust Improvements Act of 1987.

(5) *S. 635*—Thurmond—A bill to amend title 35, United States Code, to protect intellectual property rights, and for other purposes.
(6) *S. 772*—Glenn—A bill to amend the Clayton Act regarding consent judgements.
(7) *S. 804*—Simon—Insurance Competition Act of 1987.
(8) *S. 808*—McClure—Antitrust Damages Clarification Act of 1987.
(9) *S. 1111*—Metzenbaum—Motor Fuel Sales Competition Improvement Act of 1987.
(10) *S. 1396*—Specter—A bill to amend the Unfair Competition Act of 1916 and Clayton Act to provide for private enforcement of the Unfair Competition statute in the event of unfair foreign competition, and to amend title 28 of the United States Code to provide for private enforcement of the Customs fraud statute.
(11) *S. 1407*—Metzenbaum—Antitrust Remedies Improvement Act of 1987.
(12) *S. 1773*—Inouye—A bill to amend the Soft Drink Interbrand Competition Act to prohibit certain unfair competition by manufacturers of soft drinks.
(13) *S. 1962*—Metzenbaum—Consumer Remedies Improvements Act of 1987.
(14) *S. 2347*—Inouye—A bill to declare certain activities of manufacturers of soft drinks to be unfair acts or practices for purposes of the Federal Trade Commission Act.

B. Other Antitrust Measures Considered by the Full Committee

(1) *S. 80*—(Held at full Judiciary Committee)—Metzenbaum—A bill to repeal the McCarran-Ferguson Act, and for other purposes.
(2) *S. 1299*—Metzenbaum—Insurance Competition Improvement Act of 1987.

VII. Oversight Activities

The subcommittee held nine days of oversight hearings during the 100th Congress on the following issues:

(1) Mergers, March 11, 1987.
(2) Airline Deregulation, March 25, 1987.
(3) Corporate Takeovers, April 2, 1987.
(4) Proposed Modifications to the AT&T Decree, April 30, 1987.
(5) NFL-ESPN, October 6, 1987.
(6) Competitive Problems in Marketing of Pharmaceuticals, October 21, 1987.
(7) Airline Computer Reservation Systems, December 10, 1987.
(8) Competitive Problems in the Cable TV Industry, March 17, 1988.
(9) Steel Caucus/United States-Canada Free-Trade Agreement, May 11, 1988.

SUBCOMMITTEE ON PATENTS, COPYRIGHTS AND TRADEMARKS

I. Members of the Subcommittee

Mr. DeConcini, *Chairman*

Mr. Kennedy	Mr. Hatch
Mr. Leahy	Mr. Simpson
Mr. Heflin	Mr. Grassley

II. Jurisdiction

The subcommittee's jurisdiction includes all patent, copyright and trademark legislation including home audio and video taping; financial syndication; and intellectual property rights.

III. Legislative Activities

Twenty-one bills were referred to the subcommittee during the 100th Congress. Eight days of legislative hearings were held, including one field hearing in Utah. Three days of markups and two

days of oversight hearings were held. Hearings were held on the following issues:

1. The Industrial Innovation and Technology Act (S. 791), March 26, 1987.
2. Process Patent Legislation (S. 568, S. 573 and S. 635), April 22, 1987.
3. Syndicated Television Music Copyright Act (S. 698), November 10, 1987.
4. Visual Artists Rights Act (S. 1619), December 3, 1987.
5. Berne Convention Legislation (S. 1301 and S. 1971), February 18, 1988, and March 3, 1988.
6. Trademark Law Revision Act (S. 1883) on March 15, 1988.
7. Computer Software Rental Amendments Act (S. 2727), August 24, 1988, in Salt Lake City, Utah.

IV. Measures Enacted Into Law

THE PROCESS PATENTS AMENDMENTS ACT

S. 1200, the Process Patents Amendments Act, was included in H.R. 4848, the Trade Bill, which became Public Law 100-418. The provision will improve the patent law by permitting patent owners to sue for damages and seek an injunction in federal district court when someone, without authorization, uses or sells in the United States, or imports into the United States a product made by their patented process; by clarifying the rights of parties with respect to patent licensing agreements; and by extending the patent on the pharmaceutical product gemfibrozil.

On April 22, 1987, a hearing was held on the process patent legislation (S. 568, S. 573 and S. 635) pending before the subcommittee. On May 13, 1987, a markup was held and a clean bill, S. 1200, was favorably reported to the full committee.

THE BERNE CONVENTION IMPLEMENTING LEGISLATION

S. 1301, legislation to implement the Berne Convention for the protection of literary and artistic works, became Public Law 100-568. The legislation conforms U.S. copyright laws to the requirements of the Berne Treaty to allow the United States to apply for membership in the Berne Union.

On February 18, 1988, and March 3, 1988, hearings were held on Berne Convention legislation (S. 1301 and S. 1971) pending before the subcommittee. On April 13, 1988, a markup was held and the subcommittee approved and favorably reported S. 1301 in the nature of a substitute. The bill passed the Senate on October 5, 1988. Its language was incorporated into H.R. 4262, which became Public Law 100-568.

THE TRADEMARK LAW REVISION ACT

S. 1883, the Trademark Law Revision Act, became Public Law 100-667. The law updates the trademark law to conform to present day business practices, increases the value of the federal trademark registration system for U.S. companies, removes the past preference for foreign companies applying to register trademarks in the United States and improves the law's ability to protect the public from counterfeiting, confusion and deception.

On March 15, 1988, a hearing was held on this legislation. On April 13, 1988, a markup was held and the subcommittee approved and favorably reported S. 1883 in the nature of a substitute. It

passed the Senate on May 13, 1988, and was signed by the President on November 16, 1988 (Public Law 100-667).

RECORD RENTAL

S. 2201, a bill to make certain record rental provisions in Title 17, U.S. Code, the Copyright Act, became Public Law 100-617. The law extends for another seven years the prohibition against the unauthorized rental, leasing or lending for commercial advantage, of any copyrighted sound recording.

On April 13, 1988, a markup was held and S. 2201 was favorably reported to the full committee. It was approved by the committee on April 14, 1988, and passed the Senate on June 7, 1988. It was signed by the President on November 5, 1988 (Public Law 100-617).

V. Other Measures Actively Considered

S. 1619, the Visual Artists Rights Act, was marked up on August 10, 1988, and favorably reported by the subcommittee in the nature of a substitute. The full committee approved the bill on October 5 and reported it to the Senate.

The bill would provide full copyright protection to all works of fine art without any requirement that a copyright notice be affixed to the work. It would also amend the copyright law to secure the rights of fine artists to prevent the distortion, mutilation or other alteration of such works.

VI. Other Measures Considered

1. S. 501—a bill relating to inventions in outer space.
2. S. 698—source licensing legislation.
3. S. 791—the Industrial Innovation and Technology Act.
4. S. 1102—a bill extending a particular patent.
5. S. 1223—work made for hire legislation.
6. S. 1469—a bill to restrict the use of "Social Security" or Social Security Administration" on goods not connected with such Administration.
7. S. 1671—trademark protection/gray market legislation.
8. S. 1785—a bill to amend the manufacturing clause.
9. S. 2111—animal patent legislation.
10. S. 2529—the Cable Compulsory License Non-Discrimination Act.
11. S. 2727—the Computer Software Rental Act.
12. S. 2744—patent extensions legislation.
13. H.R. 4970—animal patents legislation.

VII. Oversight Activities

On February 17, 1987, the subcommittee held a general oversight hearing on Patent and Trademark issues.

On April 2, 1987, the subcommittee held a joint oversight hearing with the House Judiciary Committee's Subcommittee on Courts, Civil Liberties and the Administration of Justice on copyright issues presented by the Digital Audio Tape technology.

SUBCOMMITTEE ON TECHNOLOGY AND THE LAW

I. Members of the Subcommittee

Mr. Leahy, *Chairman*

Mr. DeConcini

Mr. Humphrey

II. Jurisdiction

The subcommittee's jurisdiction includes all laws related to information policy, electronic privacy and security of computer information; oversight of technology, trade and licensing; and the Freedom of Information Act.

III. Legislative Activities

During the 100th Congress, seven Senate bills were referred to the Subcommittee on Technology and the Law. Three of these bills were enacted.

The subcommittee held four days of legislative hearings on the following bills:

(1) The Semiconductor Chip Protection Act Extension (S. 442, 2 days);
(2) The Video Privacy Protection Act (Joint hearing with House Judiciary Subcommitte on Courts, Civil Liberties and the Administration of Justice on S. 2361 and H.R. 4749); and
(3) The Intellectual Property Antitrust Protection Act (S. 438) (Joint hearing with the Subcommittee on Antitrust, Monopolies and Business Rights).

The subcommittee held seven days of oversight hearings on the following issues:

(1) The use and regulation of biotechnology in agriculture (joint hearing with the Committee on Agriculture, Nutrition, and Forestry);
(2) The colorization of black-and-white films;
(3) Information and competitiveness;
(4) High technology terrorism (2 days); and
(5) Agency compliance with the Freedom of Information Act (1 day).

IV. Measures Enacted Into Law

THE SEMICONDUCTOR CHIP PROTECTION ACT EXTENSION

Public Law 100-159 (S. 442). The Semiconductor Chip Protection Act Extension of 1987 extends for three years the Secretary of Commerce's authority to issue interim orders granting U.S. protection for the chip designs of those countries making adequate progress toward laws protecting U.S. semiconductor chips.

THE VIDEO PRIVACY PROTECTION ACT

Public Law 100-618 (S. 2361). The Video Privacy Protection Act preserves personal privacy with respect to the rental, purchase or delivery of video tapes or similar audio visual materials. The act prohibits video services providers from disclosing personally identifiable information except in certain, limited circumstances. As a general rule, personally identifiable information may only be disclosed with the prior written consent of the individual or with a court order.

V. Other Measures Actively Considered

The Intellectual Property Antitrust Protection Act (S. 438). The purposes of S. 438, as amended, were:

Title I

To clarify the treatment of intellectual property rights under the antitrust laws by prohibiting courts from presuming the market

power necessary for liability merely from the existence of a patent or copyright.

Title II

To reform the doctrine of patent misuse so it will not be used to restrict the rights of patent owners when their licensing practices do not violate the antitrust laws.

The purpose of both titles of S. 438 was to eliminate unfair penalties placed by courts on intellectual property owners based on outdated and erroneous judicial doctrines.

The Senate passed S. 438 three times. On October 4, 1988, the Senate passed S. 438 unanimously by voice vote. On October 19, 1988, the Senate passed S. 438 as an amendment to H.R. 4972, the Patent and Trademark Office Authorization Act. On October 19, 1988, the Senate passed S. 438 as an amendment to H.R. 5347, the Municipal Bankruptcy Act.

The House passed a modified version of Title II on Patent Misuse as part of the Patent and Trademark Office Authorization Act. This measure was signed into law (Public Law 100-703) on November 19, 1988.

VI. Other Measures Considered

The following bills were referred to the Subcommittee on Technology and the Law:

1. S. 611—To permit the transmission of information assisting in the placing of bets or wagers on a sporting event or contest from a State where such betting is legal to a foreign country where such betting is legal.

2. S. 635—The Omnibus Intellectual Property Rights Improvement Act of 1987, to protect intellectual property rights and other purposes. Subtitle B, Freedom of Information Act Amendments of 1987 referred with no further action.

3. S. 1124—To amend Title 18, United States Code, to require that telephone monitoring by employers be accompanied by a regular audible warning tone.

4. S. 1345—To allow the National Association of State Racing Commissioners, State racing commissions and regulatory authorities that regulate parimutuel wagering to receive and share federal government criminal identification records.

(H.R. 4458 enacted into law August 22, 1988, Public Law 100-413).

VII. Oversight Activities

An oversight hearing was held on May 12, 1987, to review legal issues that arise when color is added to films originally produced, sold and distributed in black-and-white, and to review how colorization affects copyright, trademark and contract law, and artistic integrity. The hearing explored moral rights issues that figured prominently in the Berne Copyright Convention debate.

A joint oversight hearing with the Committee on Agriculture, Nutrition and Forestry was held on November 4, 1987, on the use and regulation of biotechnology in agriculture.

An oversight hearing was held on March 16, 1988, to review the open exchange of information. The hearing focused on the free flow of unclassified scientific information, American national economic competitiveness and the success of the U.S. information industry.

Oversight hearings were held on May 19, 1988 and September 15, 1988, to assess the threat presented by high-technology terrorism and the Government's ability to respond to that threat. Hearings focused on the use of sophisticated technologies to conduct terrorist

attacks, the use of weapons of mass destruction—including nuclear, biological or chemical weapons—and the vulnerability of the U.S. infrastructure networks to terrorist attack.

An oversight hearing was held on August 2, 1988, on agency compliance with the Freedom of Information Act, focusing on the 1986 fee waiver amendments.

SUBCOMMITTEE ON COURTS AND ADMINISTRATIVE PRACTICE

I. Members of the Subcommittee

Mr. Heflin, *Chairman*

Mr. Metzenbaum	Mr. Grassley
Mr. DeConcini	Mr. Thurmond

II. Jurisdiction

The jurisdiction of the Subcommittee on Courts and Administrative Practice includes oversight of and legislative responsibilities for: the federal courts; Administrative Office of the United States Courts; civil judicial proceedings; local courts in the territories and possessions; court reform and alignment; judicial disability and tenure; Federal Rules of Civil Procedure; jurisprudence; bankruptcy; Administrative Procedures Act; regulatory procedures; legislative veto; consumer interest in federal agency determination on procedures; claims against the United States. The subcommittee's jurisdiction also includes oversight of the Department of Justice's Civil Division and Lands and Natural Resources Division.

III. Legislative Activities

During the 100th Congress, 88 Senate bills and 26 House bills were referred to the subcommittee. Of the 88 Senate bills, 36 were private relief legislation. Of the 26 House bills, 21 were private relief legislation.

The subcommittee held 17 days of legislative hearings on 25 pieces of legislation; 1 field hearing, chaired by Senator Grassley; and 4 markups. The subcommittee held hearings on the following issues:

(1) The Retirees Benefits Securities Act.
(2) Voir Dire.
(3) Administrative Law Judges.
(4) Farm Credit System, Field Hearing.
(5) Retirement and Survivors' Annuities of Bankruptcy Judges and Magistrates.
(6) Child Abduction.
(7) Judicial Immunity.
(8) Claims Court Improvement Act.
(9) Judicial Branch Improvement Act.
(10) The Federal Debt Collection Act.
(11) State Justice Institute.
(12) Volunteer Protection Act.
(13) Alternative Dispute Resolution.
(14) Rules Enabling Act.
(15) Foreign Jurisdiction, Product Liability Act.
(16) Intellectual Property Bankruptcy Protection.
(17) The Civil Division Authorization for Fiscal Year 1989.
(18) United States-Canada Free-Trade Agreement.
(19) Municipal Bankruptcy.

(20) Medical Malpractice Suits for Armed Forces Personnel.
(21) The General Aviation and Accident Liability Standards Act.
(22) Farm Out Agreements (Bankruptcy).
(23) Federal Courts Study Commission.
(24) Amend Bankruptcy Code to Clarify Transfer Provisions.
(25) Strengthening the Criminal Justice Partnership Between the States and the Federal Government.

IV. Measures Enacted Into Law

A total of 16 measures considered by the subcommittee were enacted into law.

RETIREE INSURANCE BENEFITS SECURITY ACT

Public Law 100-334 (S. 548—Mr. Metzenbaum and H.R. 2969—Mr. Rodino). This law amends chapter 11 of the Bankruptcy Code by enacting a new section 1114 entitled "Payment of Insurance Benefits to Retired Employees," to provide specific protections under the Bankruptcy Code for certain insurance benefits of retired employees, their spouses and dependents. These benefits are defined as medical, surgical, or hospital care benefits payable in the event of sickness, accident, death, or disability. The purpose of this law is to protect retired employees from unilateral termination or modification of their benefits when a company files under chapter 11.

S. 548 was introduced by Senator Metzenbaum on February 19, 1987, and was referred to the subcommittee on February 20, 1987. the subcommittee held two hearings on this bill on April 1, 1987, and April 24, 1987. On May 27, 1987, the subcommittee held a markup at which time S. 548 was approved for full committee consideration with an amendment by Senator Metzenbaum in the nature of a substitute. A Grassley amendment regarding restitution payments and a Thurmond amendment regarding farm bankruptcy were accepted by voice vote. On June 23, 1987, the full committee adopted a Metzenbaum substitute for the retiree benefits provision, a Thurmond amendment, and the bill, as amended, was reported favorably by voice vote. S. 548 was reported to the Senate on July 17, 1987 (S. Rept. 100-119). On July 24, 1987, the bill passed the Senate as amended. S. 548 was then referred to the House Judiciary Committee on September 10, 1987, and subsequently referred to the House Subcommittee on Monopolies and Commercial law.

The bill that was signed into law, H.R. 2969, passed the House on October 13, 1987. On October 31, 1987, the Senate agreed to H.R. 2969 with an amendment. On May 23, 1988, the House passed an amendment to the Senate amendment to H.R. 2969. The Senate approved the legislation on May 26, 1988. The President signed the measure on June 16, 1988; it became Public Law 100-334.

SALARY INCREASE FOR MAGISTRATES AND BANKRUPTCY JUDGES

Public Law 100-202 (S. 697—Mr. Cochran) provides that full-time magistrates and bankruptcy judges receive a salary equal to 92 percent of the salary paid to judges of the district courts of the United States. S. 696 was incorporated into the 1987 Continuing Resolution, Public Law 100-202, under Title IV—The Judiciary, General Provisions.

MANDATORY JURISDICTION OF THE SUPREME COURT

Public Law 100-352 (S. 952—Mr. Heflin) substantially eliminated the mandatory or obligatory jurisdiction of the Supreme Court. Before enactment of S. 952, certain cases could be appealed directly to the Supreme Court and the Court was obligated to hear and decide those cases. The net effect of this act is to convert, in a majority of cases, the method of Supreme Court review to a discretionary certiorari approach.

Senator Heflin introduced S. 952 on April 28, 1987, for himself and Senator Grassley. The subcommittee marked up this legislation on November 18, 1987. At the subcommittee mark up, Senator Heflin offered several amendments that were considered en bloc and were adopted by the subcommittee. On December 3, 1987, S. 952, as amended, was unanimously adopted by the full committee. The Judiciary Committee reported the bill to the Senate on March 16, 1988, with written report No. 100-300. The Senate passed the bill with amendments by voice vote on March 18, 1988, and referred the bill to the House on March 22, 1988. The bill was then referred to the House Subcommittee on Courts, Civil Liberties, and the Administration of Justice, which then discharged the bill on April 28, 1988. S. 952 was reported (H. Rept. 100-660) and passed the House on June 7, 1988. The bill was signed into law on June 27, 1988.

SELECTION OF COURT FOR MULTIPLE APPEALS

Public Law 100-236 (S. 1134—Mr. Grassley and H.R. 1162—Mr. Glickman). This law simplifies the selection of the proper court to handle the judicial appeal of an agency order in those cases where petitions for review are filed in more than one of the courts of appeals.

S. 1134 was introduced by Senator Grassley on May 5, 1987, and was then referred to the subcommittee on May 18, 1987. On November 18, 1987, the subcommittee approved S. 1134 for full committee consideration. The Judiciary Committee passed the bill on December 3, 1987. The Senate passed the bill on December 19, 1987, as reported from the Judiciary Committee (S. Rept. 100-263). S. 1134 was then referred to the House Judiciary Committee.

The House bill, H.R. 1162, passed the House on May 27, 1987. It was then referred to the Subcommittee on Courts and Administrative Practice on June 10, 1987. The Judiciary Committee discharged H.R. 1162 by unanimous consent, and the Senate passed the bill, without amendment, on December 19, 1987. On January 8, 1988, the bill was signed into law.

INTERNATIONAL ABDUCTION REMEDIES ACT

Public Law 100-300 (S. 1346—Mr. Simon and H.R. 3971—Mr. Lantos) facilitates implementation of the 1980 Hague Convention on the divil aspects of international child abduction.

On February 23, 1988, the subcommittee held a hearing on S. 1347. There was no further action on S. 1347 in the Senate during the 100th Congress. However, H.R. 3971, the House companion measure, was passed by the Senate on April 12, 1988, and was signed into law on April 19, 1988.

JUDICIAL IMPROVEMENTS AND ACCESS TO JUSTICE ACT

Public Law 100-702 (S. 1482—Mr. Heflin and H.R. 4807—Mr. Kastenmeier) makes certain improvements with respect to the federal judiciary.

This legislation has ten separate titles. The major provisions: establish a Federal Courts Study Committee within the Judicial Conference for a period of 15 months; raise the jurisdictional amount in federal diversity cases from $10,000 to $50,000; refer to the represented party to establish citizenship in representative party cases; treat a permanent resident alien as a citizen of the state in which he or she is domiciled; create a foundation at the Federal Judicial Center to accept gifts to facilitate the work of the Center; implement a history program for the federal judiciary; improve the process by which rules are promulgated by the judicial branch; provide an interlocutory appeal to the Federal Circuit in Tucker Act cases to resolve the jurisdictional issues before trial as to whether the U.S. Claims Court has exclusive jurisdiction; extend court interpreter services to grand jury proceedings; make changes in the jury selection system; provide for experimental arbitration programs in 10 new districts to conduct arbitration by consent of the parties; allow the citizenship of fictitious or Doe defendants to be disregarded with respect to removal of a case.

Senator Heflin introduced S. 1482 on July 10, 1987. The subcommittee held a hearing on March 18, 1988. (On February 26, 1988, the subcommittee held a hearing on Section 614 of S. 1482, which pertained to Judicial Immunity.) On September 15, 1988, the subcommittee favorably marked up S. 1482 with an amendment in the nature of a substitute for full committee consideration. The committee passed the bill favorably, with an amendment in the nature of a substitute on October 5, 1988. The Senate passed S. 1482 after agreeing to a committee amendment in the nature of a substitute on October 14, 1988. S. 1482 was then indefinitely postponed and the language of the Senate bill was incorporated in H.R. 4807 which was passed by the Senate the same day. The House passed H.R. 4807 on October 19, 1988, and the bill was signed by the President on November 19, 1988.

This bill contained the provisions of several other bills within the subcommittee's jurisdiction:

(1) Court Interpreters Improvement Act

Public Law 100-702 (S. 1482—Senator Heflin and H.R. 4807—Mr. Kastenmeier) contains a provision to amend Title 28, United States Code, to make certain improvements with respect to the federal court interpreter program. Originally, this provision was S. 1867 (Senator Cranston), known as the Court Interpreter Improvement Act.

S. 1867 extends the interpreter service to grand jury proceedings. Other amendments give the Judicial Conference and the Circuit Judicial Councils a role in determining the languages to be certified nationwide or within a specific circuit.

S. 1867 passed the the subcommittee on August 9, 1988. The full committee approved S. 1867 with amendments, and ordered it to be reported. The bill was reported to the Senate (S. Rept. 100-590), with amendments on October 6, 1988. On October 18, the bill passed the Senate as a separate title in S. 1482. S. 1867 was also passed as a separate bill on October 18, 1988. The bill was referred to the House but did not receive House consideration.

(2) State Justice Institute Act

S. 1248, introduced by Senator Howell Heflin, was included as a separate title within H.R. 4807. This bill makes technical corrections to the State Justice Institute Act. In addition, the Court's bill contained a 2-year reauthorization for the State Justice Institute. Note: the Anti-Drug Abuse Act of 1988 contained a provision reauthorizing the Institute for 4 years.

(3) Redistricting Counties Within the State of Florida

S. 2340, introduced by Senators Chiles and Graham, changes counties within the state of Florida from one district to another. This bill was included in the miscellaneous provisions of H.R. 4807.

INTELLECTUAL PROPERTY BANKRUPTCY PROTECTION

Public Law 100-506 (S. 1626—Mr. DeConcini) amends federal bankruptcy provisions to make clear that the right of an intellectual property licensee to use the licensed property cannot be unilaterally terminated as a result of the rejection of the license pursuant to Section 365 in the event of the licensor's bankruptcy. It requires the trustee, the debtor, and the grantor to maintain the confidentiality of any protected information obtained pursuant to such a contract or lease.

S. 1626 was introduced on August 7, 1987, and referred to the subcommittee on October 20, 1987. On June 10, 1988, the subcommittee held a hearing on S. 1626. The bill, with an amendment in the nature of a substitute, was approved for full committee consideration at the markup held by the subcommittee on August 9, 1988. The full committee approved the bill and ordered it favorably reported with an amendment in the nature of a substitute on August 10, 1988. The bill was reported to the Senate on September 14, 1988, with written report 100-505. On September 20, 1988, the Senate passed the bill after adopting a technical amendment proposed by Senator DeConcini. S. 1626 was referred to the House on September 27, 1988, and passed on October 4, 1988. S. 1626 was signed into law on October 18, 1988.

RETIREMENT AND SURVIVORS' ANNUITIES FOR BANKRUPTCY JUDGES AND MAGISTRATES

Public Law 100-659 (S. 1630—Mr. Heflin) provides for retirement and survivors' annuities for bankruptcy judges and magistrates. Bankruptcy judges and magistrates, after the completion of 14 years of judicial service and at the age of 65, are entitled to an annuity equal to the salary of the position at the time he or she leaves office. The act also requires bankruptcy judges and magistrates to contribute one percent of their salary for 14 years. The act penalizes bankruptcy judges and magistrates who leave office voluntarily prior to age 65 by reducing their annuity by two percent for each year they leave office prior to 65, but limits the penalty to a maximum of 20 percent of the annuity.

Senator Heflin introduced the bill on August 7, 1987, and it was subsequently referred to the subcommittee on October 20, 1987. The subcommittee held a hearing on this bill on October 18, 1987. S. 1630 was approved for full committee consideration at a subcommittee markup on November 18, 1987. The committee approved S. 1630 on December 3, 1987. The Judiciary Committee reported S.

1630 with written report 100-293 on December 29, 1988. The Senate passed the bill on March 3, 1988.

The House companion bill, H.R. 4340, was passed by the House on July 11, 1988. The House struck all language after the enacting clause of S. 1630 and inserted in lieu thereof the text of H.R. 4340. The House requested a conference, and conferees were appointed July 12,1988. The Senate agreed to a conference and appointed conferes on September 13, 1988. The Conferees' Report on S. 1630 (H. Rept 100-1072) was presented on October 5, 1988, in the House. On October 7, 1988, the Senate agreed to the Report by voice vote. The Report was submitted to the House on October 11, 1988, and the House passed the Report by voice vote on October 19, 1988. The Conference report to S. 1630 was signed into law on November 15, 1988.

MUNICIPAL BANKRUPTCY

Public Law 100-597 (S. 1863—Mr. DeConcini and H.R. 5347—Mr. Rodino). This law clarifies the provisions of the Bankruptcy Code applicable to municipalities and corrects conflicts between municipal and bankruptcy laws especially in area of revenue bonds. It applies to cases commenced after date of enactment, which was November 3, 1988.

Senator DeConcini introduced this legislation on November 12, 1987. On November 23, 1988, S. 1863 was referred to the subcommittee and on June 10, 1988, the subcommittee held a hearing on the bill. The subcommittee favorably marked the bill up with an amendment on August 9, 1988. The full committee favorably passed the bill on August 10, 1988, and ordered it to be reported (S. Rept. 100-506). The bill was reported to the Senate on September 14, 1988. The Senate passed S. 1863 on September 20, 1988.

The House amended S. 1863 on October 19, 1988, by striking Senate language and inserting the text of H.R. 5347. The Senate agreed to the House amendment on October 20, 1988. S. 1863 was signed into law on November 3, 1988.

FEDERAL EMPLOYEES LIABILITY REFORM AND TORT COMPENSATION ACT

Public Law 100-694 (S. 2500—Mr. Grassley and H.R. 4612—Mr. Frank) amends Title 28 to provide for an exclusive remedy against the United States for suits based upon certain negligent or wrongful acts or omissions of United States employees committed within the scope of their employment. The bill also institutes a corresponding framework with respect to comparable actions against Tennessee Valley Authority (TVA) employees. The Senate also passed S. Con. Res. 164 to correct an error in drafting when H.R. 4612 was amended.

S. 2500 was introduced on June 13, 1988, and was referred to the subcommittee on June 28, 1988. On July 29, 1988, S. 2500 as amended, was polled out of the subcommittee for full committee consideration. The committee approved the bill and reported it to the Senate with an amendment. On October 5, the full committee approved H.R. 4612, the House companion to S. 2500, and ordered it favorably reported with an amendment. On Octover 12, 1988,

H.R. 4612 passed the Senate. It was signed into law on November 18, 1988.

FOREIGN SOVEREIGN IMMUNITIES ACT

Public Law 100-640 (H.R. 1149—Mr. Cardin) amends the Foreign Sovereign Immunities Act with respect to admiralty jurisdiction, as it applies to attachment and foreclosure affecting ships owned by foreign states.

This bill passed the House on August 8, 1988, and was referred to the subcommittee on August 22, 1988. On September 22, 1988, the subcommittee favorably polled out H.R. 1149 for full committee consideration. The committee, on October 5, 1988, approved the bill and ordered it to be reported favorably. The bill passed the Senate on October 21, 1988, and was signed into law on November 9, 1988.

ADDITIONAL BANKRUPTCY JUDGES

Public Law 100-587 (H.R. 4064—Mrs. Schroeder and Mr. Glickman) authorized additional judgeship positions for the districts of Colorado, Kansas, eastern Texas, Alaska, eastern Kentucky.

On October 14, 1988, the Senate considered H.R. 4064, and amended the legislation to include authorization for additional judgeships for Arizona and the western district of Texas. The Senate then passed H.R. 4064. The House passed H.R. 4064, as amended by the Senate, on October 19, 1988, and on November 3, 1988, the President signed the bill.

While there was not a Senate companion measure to H.R. 4064, there was pending legislation in the subcommittee that amended the federal judicial code to increase the number of bankruptcy judgeships in the district of Alaska (S. 1983—Mr. Stevens). Though this measure was not considered independently, it was included in the House bill.

U.S.-CANADA FREE TRADE AGREEMENT

On May 20, 1988, the subcommittee held a hearing on the U.S.-Canada Free Trade Agreement. Senator Heflin chaired a hearing on the full committee, which focused specifically on the constitutionality of the establishment of a binational panel to resolve disputes in anti-dumping and countervailing duty cases. The U.S.-Canada Free Trade bill was subsequently passed by the House and Senate and became Public Law 100-449.

PRIVATE RELIEF LEGISLATION

During the 100th Congress, the Subcommittee on Courts and Administrative Practice received referral of 53 private relief bills, 21 House and 32 Senate. Of the 53 bills, 19 were signed into law by the President, 16 House and 3 Senate.

The subcommittee also received referral of six Congressional Referrals. Of the six, three were passed by the Senate.

The Subcommittee on Courts and Administrative Practice considered the following private relief legislation, which were signed into law during the 100th Congress:

Private Law 100-17 (H.R. 439—Mr. Bennett) a bill for the relief of Thomas Wilson. Signed by the President on September 29, 1988.

Private Law 100-43 (H.R. 441—Mr. Brooks) a bill for the relief of the heirs of Master Sergeant Nathaniel Scott, United States Army, retired, deceased. Signed by the President on November 10, 1988.

Private Law 100-30 (H.R. 525—Mr. Coelho) a bill for the relief of John M. Gill. Signed into law October 31, 1988.

Private Law 100-45 (H.R. 712—Mr. Cheney) a bill for the relief of Lawrence K. Lunt. The bill was signed into law on November 10, 1988.

Private Law 100-24 (H.R. 945—Mr. Foley) a bill for the relief of Allen H. Platnick. Signed into law October 28, 1988.

Private Law 100-32 (H.R. 1133—Mr. Dymally and S. 1878—Mr. Cranston) a bill for the relief of Thomas Nelson Flanagan. Signed into law on November 3, 1988.

Private Law 100-25 (H.R. 1275—Mr. Darden) a bill for the relief of Joyce G. McFarland. Signed into law on October 28, 1988.

Private Law 100-26 (H.R. 1385—Mr. Boucher) a bill for the relief of Travis D. Jackson. Signed into law on October 28, 1988.

Private Law 100-15 (H.R. 1386—Mr. Ford and S. 881—Mr. Riegle) a bill for the relief of Marsha D. Christopher. Signed into law on May 30, 1988.

Private Law 100-37 (H.R. 1388—Mr. Frank) a bill for the relief of David Butler, Aldo Cirone, Richard Denisi, Warren Fallon, Charles Hotton, Harold Johnson, Jean Avoie, Vincent Maloney, Austin Mortensen, and Kurt Olofsson. Signed into law on November 9, 1988.

Private Law 100-46 (H.R. 1418—Mr. Brooks) a bill for the relief of Rick Hangartner, Russell Stewart, and David Walden. Signed into law on November 10, 1988.

Private Law 100-33 (H.R. 1490—Mr. Fawell) a bill for the relief of Jean DeYoung. Signed into law on November 3, 1988.

Private Law 100-47 (H.R. 2802—Mr. Solarz; Mr. Moynihan—S. 1574) a bill for the relief of Fleurette Seidman. Signed into law on November 10, 1988.

Private Law 100-44 (H.R. 610—Mr. Frost and S. 2324—Mr. Bentsen) a bill for the relief of Calvin F. Graham. On October 21, 1988, the Senate passed the House bill. The bill was signed into law November 10, 1988.

Private Law 100-28 (H.R. 3347—Mr. Snowe) a bill for the relief of Bibianne Cyr. Signed into law on October 28, 1988.

Public Law 100-700, Senator Cranston introduced S. 1456, a bill for the relief of Paulette Mendes-Silva. Indefinitely postponed by Senate by unanimous consent. Senator Cranston attached this legislation as an amendment to H.R. 3911 which was signed into law on November 19, 1988.

Private Law 100-9 (S. 1609—Mr. McClure) a bill for the relief of James P. Purvis. Signed into law on April 27, 1988.

Private Law 100-10 (H.R. 2139—Mr. Flippo and S. 1046—Mr. Shelby) a bill for the relief of John H. Teele. Signed into law on May 5, 1988.

Public Law 100-180 (S. 1298—Mr. Shelby), a bill for the relief of Merchants National Bank of Mobile, Alabama. Added as an amendment to the Defense Authorization bill for fiscal year 1988 which was signed into law on December 4, 1987.

S. Res. 73: a resolution to refer S. 329 entitled "A bill for the relief of Dynamic Technology International, Inc., Lew Malnak Associates, Starr Design, Inc., Riverside Precision Machines, and certain other individuals" to the Chief Judge of the United States Claims Court for a report thereon. On October 12, 1988 the Senate agreed to the Resolution.

S. Res. 187: a resolution referring the bill for the relief of Frederick Paul to the Chief Judge of the United States Claims Court. Passed the Senate on October 19, 1988.

S. Res. 507: refers to the Chief of the United States Claims Court, S. 1964, a bill for the relief of "Nebraska Aluminum Castings, Inc., of Hastings, Nebraska." Passed the Senate on October 19, 1988.

V. Other Measures Actively Considered

ADMINISTRATIVE LAW JUDGE CORPS ACT

On April 8, 1987, Senator Heflin, Chairman of the Subcommittee on Courts and Administrative Practice, introduced S. 950, the Administrative Law Judge bill. S. 950 would establish an independent corps of administrative law judges (ALJs). The bill would remove ALJs from working within Federal agencies, and would create a specialized corps in which ALJs would carry out the same func-

tions currently carried out under the auspices of individual agencies. In addition, the bill would create a council to carry out the day-to-day administrative functions of the corps and provide for the complete and effective transition of ALJs from the agencies to the corps.

The subcommittee held a hearing on July 21, 1987, and successfully marked up the bill on February 16, 1988. The bill was not considered by the full Judiciary Committee prior to the end of the 100th Congress.

JUDICIAL IMMUNITY

Senator Heflin also introduced S. 1515, a bill to prohibit injunctive relief, or an award of damages, against a judicial officer for action taken in a judicial capacity on July 21, 1987.

The subcommittee held a hearing on February 26, 1988, and reported S.1515, with an amendment offered by Senator Heflin, to the full Judiciary Committee. The full committee approved the bill, with an amendment, on August 3, 1988. S. 1515 was reported, as amended, to the Senate with written report 100-386 on September 28, 1988. The bill did not receive Senate consideration prior to the close of the 100th Congress.

FEDERAL TORT LIABILITY RELATING TO THE CIVIL LIABILITY OF GOVERNMENT CONTRACTORS

Senator Simon introduced S. 612 on February 26, 1987, to repeal a provision of federal tort liability law relating to the civil liability of government contractors for certain injuries, losses of property, and deaths. On February 16, 1988, in a markup, the subcommittee approved the bill for full committee consideration with an amendment in the nature of a substitute. The full Judiciary Committee approved and ordered the bill to be favorably reported on March 24, 1988, with an amendment in the nature of a substitute. S. 612 and Senate Report No. 100-386 were sent to the Senate on June 17, 1988. The Senate did not consider the bill prior to the end of the 100th Congress.

FEDERAL DEBT COLLECTION PROCEDURES ACT

S. 1961, the Federal Debt Collection Procedures Act, was introduced by Senator Biden for himself and for Senators Thurmond and Grassley on December 18, 1987. The bill would create new procedures for collection of federal debts in the states. The subcommittee held a hearing on April 15, 1988, and approved the bill for full committee consideration, with an amendment in the nature of a substitute, on August 9, 1988. The full Judiciary Committee approved the bill and ordered it favorably reported on October 5, 1988. After agreeing to a committee amendment in the nature of a substitute, the Senate passed S. 1961 on October 14, 1988. The bill was referred to the House on October 19, 1988, but failed to receive House consideration before the end of the session.

INTEREST SWAP

Senator DeConcini introduced S. 2279, the Interest Swap Legislation, on April 13, 1988. The bill pertains to the bankruptcy of fi-

nancial institutions engaged in interest rate and currency swap agreements.

On June 10, 1988, the subcommittee held a hearing on several bankruptcy bills; although S. 2279 was on the agenda, there were no witnesses that directly testified on this legislation. The subcommittee did, however, receive written testimony on S. 2279 to be included in the hearing report of the June 10, 1988, hearing. On October 5, 1988, the bill was approved for full committee consideration. The committee approved the bill and reported it to the Senate that same day. The bill passed the Senate on October 14, 1988, and was referred to the House on October 19, 1988, where it failed to receive further consideration.

FEDERAL COURTS STUDY ACT

S. 951, introduced by Senator Howell Heflin on April 5, 1987, would establish the Federal Courts Study Commission. On June 15, 1987, the subcommittee held a hearing and on February 16, 1988, the subcommittee approved the bill for full committee consideration, with an amendment in the nature of a substitute. The full Judiciary Committee approved S. 951 on March 24, 1988, with an amendment in the nature of a substitute. S. 951 passed the Senate on October 5, 1988, and was referred to the House on October 6, 1988, where no further action was taken on the bill.

FAMILY FARM EQUITY ACT

Senator Grassley, the Ranking Minority Member on the Subcommittee, introduced S. 565 on February 19, 1987. Entitled the Family Farmer Equity Act, S. 565 would make certain bankruptcy amendments relating to family farmers applicable to cases under title 11 of the United States Code that were commenced before November 26, 1986, and that were either pending or reviewable. S. 565 passed the Senate as a separate title to S. 548, Retiree Insurance Benefits Security Act. The House stripped this provision from the Retiree Benefit legislation prior to final passage.

BANKRUPTCY ANTIFRAUD ACT

S. 1017, a bill introduced by Senator Grassley on April 10, 1987, also passed the Senate as a separate title to S. 548, but was stripped by the House prior to final passage. S. 1017 was then attached to S. 1961, the Federal Debt Collection bill, in the form of an amendment which was passed by the Senate on October 14, 1988. S. 1961 was not considered by the House prior to the end of the 100th Congress.

This bill makes nondischargeable any debt arising from a judgement or consent decree requiring a debtor to make restitution as a result of a violation of law.

STUDENT LOAN BANKRUPTCY PREVENTION ACT

S. 830 was introduced by Senator Stafford on March 25, 1987. The bill was referred to the Subcommittee on Courts and Administrative Practice on April 27, 1987. This bill was added as an amendment to S. 548 during the Senate's consideration of S. 548 on July 24, 1987. This provision was stripped by the House before final pas-

sage of the retiree benefit legislation. This bill clarifies the treatment of certain education loans in bankruptcy proceedings. It amends the Bankruptcy Code to limit the cricumstances under which guaranteed student loan borrowers are able to discharge their debts under federal bankruptcy laws.

VI. Other Measures Considered

1. S. Res. 36—Inouye; a resolution to refer S. 108 entitled "A bill for the relief of Walter Chang" to the Chief Judge of the United States Claims Court for a report thereon. Referred to Subcommitteee on Courts and Administrative Practice on February 9, 1987.

2. S. 108—Inouye; a bill for the relief of Walter Chang. Referred to Subcommittee on Courts and Administrative Practice on February 9, 1987.

3. S. 188—Weicker, et al.; a bill to amend title 28, United States Code, to provide for the appointment of one additional district judge for the District of Connecticut. Referred to Subcommittee on Courts and Administrative Practice on February 9, 1987.

4. S. 217—Pressler; Joint and Several Liability Reform Act of 1987. Referred to Subcommittee on Courts and Administrative Practice on February 9, 1987.

5. S. 239—Thurmond, et al.; Intercircuit Panel of the United States Act. Referred to Subcommittee on Courts and Administrative Practice on February 9, 1987.

6. S. 262—Ford; a bill for the relief of land grantors in Henderson, Union, and Webster Counties, to the United States, and their heirs. Referred to Subcommittee on Courts and Administrative Practice on February 9, 1987.

7. S. 400—Durenberger; a bill for the relief of Stanley C. Bourassa and Katherine V. Bourassa. Referred to Subcommittee on Courts and Administrative Practice on April 22, 1987.

8. S. 509—Gore; a bill to provide that certain good faith transfers of property made by the Southern Industrial Banking Corporations to depositors shall not be voidable under title 11 of the United States Code. Referred to Subcommittee on Courts and Administrative Practice on February 13, 1987.

9. S. 546—McConnell; a bill to amend section 97 of title 28, United States Code, to provide for Federal district court to be held in Hopkinsville, Kentucky. Referred to Subcommittee on Courts and Administrative Practice on February 20, 1987.

10. S. 554—McConnell, et al.; Tort Litigation Reform Act of 1987. Referred to Subcommittee on Courts and Administrative Practice on February 20, 1987.

11. S. 595—Specter; a bill for the relief of Roco A. Trecosta. Referred to Subcommittee on Courts and Administrative Practice on March 13, 1987.

12. S. 687—Danforth, et al.; Product Liability Reform Act of 1987. Referred to Subcommittee on Courts and Administrative Practice on March 13, 1987.

13. S. 688—Danforth; a bill to regulate interstate commerce by providing for a uniform product liability law, and for other purposes. Referred to Subcommittee on Courts and Administrative Practice on March 13, 1987.

14. S. 823—Bentsen; a bill for the relief of Kathy Butler and Charlette James. Referred to Subcommittee on Courts and Administrative Practice on April 27, 1987.

15. S. 929—Melcher, et al.; Volunteer Protection Act of 1987. Subcommittee on Courts and Administrative Practice. Hearings held on May 20, 1988.

16. S. 953—Heflin, et al.; a bill to amend the Federal Rules of Civil Procedure with respect to the examination of prospective jurors. Subcommittee on Courts and Administrative Practice held a hearing on July 16, 1987.

17. S. 954—Heflin, et al.; a bill to amend the Federal Rules of Criminal Procedure with respect to the examination of prospective jurors. Subcommittee on Courts and Administrative Practice held hearings on July 16, 1987.

18. S. 1061—Trible, et al.; a bill relating to enforcement of the restrictions against imported pornography. Referred to Subcommittee on Courts and Adminisrative Practice on March 1, 1988.

19. S. 1079—McCain; a bill for the relief of Jose M. Arvayo. Referred to Subcommittee on Courts and Administrative Practice on May 18, 1987.

20. S. 1146—Hatch, et al.; a bill to transfer functions of the Temporary Emergency Court of Appeals and to abolish such court. Referred to Subcommittee on Courts and Administrative Practice on May 18, 1987.

21. S. 1358—DeConcini; a bill to amend title 11, United States Code, the Bankruptcy Code, to clarify the transfer provisions. Subcommittee on Courts and Administrative Practice held hearings on June 10, 1988.

22. S. 1387—Bentsen; a bill for the relief of Christy Carl Hallien of Arlington, Texas. Referred to Subcommittee on Courts and Administrative Practice on June 30, 1987.

23. S. 1434—Gore, et al.; a bill for the relief of Rolen-Rolen-Roberts International of Knoxville, Tennessee. Referred to Subcommittee on Courts and Administrative Practice on July 29, 1987.

24. S. 1512—Hatch, et al.; a bill to provide that in judicial actions against State judges, such judges shall not be held liable for attorney fees. Subcommittee on Courts and Administrative Practice held hearings on February 26, 1988.

25. S. 1560—Grassley, et al.; Rulemaking Procedures Reform Act of 1987. Referred to Subcommittee on Courts and Administrative Practice on November 10, 1987.

26. S. 1589—Breaux; a bill for the relief of LeRoy Sylestine, Chairman of the Tribal Council of the Coushatta Tribe of Louisiana, and all other enrolled members of the Coushatta Tribe of Louisiana. October 20, 1987. Referred to Subcommittee on Courts and Administrative Practice on October 20, 1987.

27. S. 1608—Thurmond; United States Claims Court Improvement Act of 1987. Subcommittee on Courts and Administrative Practice held hearings on March 4, 1988.

28. S. 1625—Sanford, et al.; United States Court of Military Appeals Improvements Act of 1987. Referred to Subcommittee on Courts and Administrative Practice on October 20, 1987.

29. S. 1641—Stevens; a bill for the relief of Barry W. Jackson of Fairbanks, Alaska; and Thomas Fenton of Fairbanks, Alaska. Referred to Subcommittee on Courts and Administrative Practice on October 20, 1987.

30. S. 1698—Gore, et al.; a bill to amend section 547 of title 11, United States Code, to provide that certain withdrawal transactions made by depositors from certain financial institutions not be avoided as preferential transfers. Referred to Subcommittee on Courts and Administrative Practice on October 20, 1987.

31. S. 1716—Matsunaga; a bill for the relief of Clayton Timothy Boyle and Clayton Louis Boyle, son and father. Referred to Subcommittee on Courts and Administrative Practice on October 20, 1987.

32. S. 1925—Hatch; a bill for the relief of the Precisa Calculating Machine Company. Referred to Subcommittee on Courts and Administrative Practice on January 25, 1988.

33. S. 1959—Proxmire; a bill for the relief of the Menominee Indian Tribe of Wisconsin. Referred to Subcommittee on Courts and Administrative Practice on January 25, 1988.

34. S. 1996—Heflin, et al.; a bill to amend title 28, United States Code, with respect to United States District Court jurisdiction regarding certain actions involving citizens of the United States and foreign persons. Subcommittee on Courts and Administrative Practice held hearings on May 25, 1988.

35. S. 2056—Inouye; a bill for the relief of Sascha Glade Weinzheimer, Jean Weinzheimer Jansen, Doris Alexa Weinzheimer, Walter Richard Weinzheimer, and the estate of Walter Weinzheimer. Referred to Subcommittee on Courts and Administrative Practice on March 14, 1988.

36. S. 2161—Bentsen; a bill to exclude certain farmout agreements from property of the estate. Subcommittee on Courts and Administrative Practice held hearings on August 10, 1988.

37. S. 2363—Ford; a bill for the relief of certain individuals to settle certain claims filed against the Federal Deposit Insurance Corporation. Referred to Subcommittee on Courts and Administrative Practice on June 6, 1988.

38. S. 2423—Levin; a bill for the relief of Evelyn M. Rachoza. Referred to Subcommittee on Courts and Administrative Practice on June 6, 1988.

39. S. 2474—Moynihan, et al.; a bill for the relief of Dr. Beatrice Braude. Referred to Subcommittee on Courts and Administrative Practice on June 28, 1988.

40. S. 2490—Sasser, et al.; a bill to amend chapter 171 of title 28, United States Code, to allow members of the Armed Forces to sue the United States for damages for certain injuries caused by improper medical care provided during peacetime. Referred to Subcommittee on Courts and Administrative Practice June 28, 1988. Subcommittee held a hearing on June 17, 1988.

41. S. 2494—Kerry; a bill for the relief of Patricia Newman. Referred to Subcommittee on Courts and Administrative Practice on June 28, 1988.

42. S. 2601—Heflin, et al.; a bill to amend section 371 of title 28, United States Code, to allow a Federal judge who is at least 60 years of age and has completed 20 years of service to retire from regular active service. Referred to Subcommittee on Courts and Administrative Practice on July 21, 1988.

43. S. 2633—Hatch, et al.; Radiation Exposure Compensation Act. Referred to Subcommittee on Courts and Administrative Practice on July 21, 1988.

44. S. 2634—Murkowski; a bill for the relief of Harold M. Wakefield. Referred to Subcommittee on Courts and Administrative Practice on July 21, 1988.

45. S. 2709—Sanford, et al.; a bill to clarify the United States' obligation to observe occupational safety and health standards and to clarify the United States' responsibility for harm caused by negligence at any workplace owned by, operated by, or under contract with the United States. Referred to Subcommittee on Courts and Administrative Practice on August 22, 1988.

46. S. 2713—Simon; a bill to amend title 18, United States Code, to provide procedural safeguards with respect to the issuance of lawyer-client subpoenas. Referred to Subcommittee on Courts and Administrative Practice on August 22, 1988.

47. S. 2803—D'Amato; a bill for the relief of Joan Daronco. Referred to Subcommittee on Courts and Administrative Practice on September 26, 1988.

48. S. 2804—D'Amato; a bill to amend the Judicial Survivors' Annuity Act to eliminate the requirement that a Federal justice or judge, who is assassinated, must serve a specified period of time before his or her survivors become eligible for benefits under the Act. Referred to Subcommittee on Courts and Administrative Practice on September 26, 1988.

49. H.R. 1054—Frank; a bill to amend chapter 171 of title 28, United States Code, to allow members of the Armed Forces to sue the United States for damages for certain injuries caused by improper medical care. Hearings held June 17, 1988.

50. H.R. 1387—Frank; a bill for the relief of O. Edmund Clubb. Referred to Subcommittee on Courts and Administrative Practice on July 29, 1987.

51. H.R. 1477—Slaughter, of Va; a bill for the relief of Beulah C. Shifflett. Referred to Subcommittee on Courts and Administrative Practice on July 29, 1987.

52. H.R. 1579—Snowe; a bill for the relief of Richard W. Ireland. Referred to Subcommittee on Courts and Administrative Practice on November 10, 1987.

53. H.R. 2182—Conyers; Criminal Law and Procedure Minor Substantive and Technical Amendments Act of 1987; On May 25, 1988, the Subcommittee on Courts and Administrative Practice. Hearings held specifically on the Rules Enabling Act provisions.

54. H.R. 2293—Frank; a bill for the relief of William A. Cassity. Referred to Subcommittee on Courts and Administrative Practice on November 10, 1988.

55. H.R. 3388—Swindall; a bill for the relief of Benjamin H. Fonorow. Referred to Subcommittee on Courts and Administrative Practice on May 4, 1988.

56. H.R. 3941—Frank; a bill for the relief of Samuel R. Newman. Referred to Subcommittee on Courts and Administrative Practice on May 4, 1988.

57. H.R. 4099—Fish; a bill for the relief of Melissa Johnson. Referred to Subcommittee on Courts and Administrative Practice on May 4, 1988.

SUBCOMMITTEE ON THE CONSTITUTION

I. Members of the Subcommittee

Mr. Simon, *Chairman*

Mr. Metzenbaum
Mr. DeConcini
Mr. Kennedy
Mr. Specter
Mr. Hatch

II. Jurisdiction

The subcommittee's jurisdiction includes (1) all constitutional amendments; (2) civil rights enforcement, including Voting Rights Act and affirmative action; (3) civil liberties, including First Amendment (except as related to computer); (4) criminal legislation related to constitutional issues, including *habeas corpus,* the death penalty and exclusionary rule; and (5) interstate compacts.

III. Legislative Activities

During the 100th Congress 41 Senate bills, 1 Senate resolution, 28 Senate joint resolutions, and 2 House bills were referred to the subcommittee. The subcommittee held 13 days of legislative hear-

ings, 1 day of markup sessions, and had 7 bills polled out of the subcommittee. The hearings were held on:

(1) Fair Housing Act Amendments.
(2) Handgun Waiting Period.
(3) Undetectable Firearms.
(4) Campaign Finance Reform.
(5) Balanced Budget Amendments.
(6) Hate Crimes Statistics Act.
(7) Homeless Youth.

IV. Measures Enacted Into Law

RACIAL AND RELIGIOUS PROPERTY VIOLENCE

Public Law 100-346 (S. 794—Mr. Metzenbaum). Amends Chapter 13 of Title 18, United States Code, to make violence motivated by hostility to religion a federal offense. Specifically, the new law permits the prosecution of and imposition of federal criminal penalties on persons who damage or destroy religious property, or who forcibly interfere with an individual's exercise of religious beliefs. Prior to the enactment of this legislation, there were limited circumstances under which a federal prosecution for religiously motivated violence might be commenced. The new law responds to the violence that threatens the right to free exercise of religion.

CHARITY GAMES ADVERTISING CLARIFICATION ACT

Public Law 100-625 (H.R. 3146—Mr. Frank). A bill to amend Titles 18 and 39, United States Code, to allow the advertising in interstate commerce of games of chance sponsored by charitable and other organizations, as long as the games are an ancillary activity and legal in the state conducted. Without this change in the law, local newspapers and radio and television stations were subject to criminal liability for carrying advertising or public service announcements of legal activities such as charity raffles, and bingo, and similar promotional activities of commercial enterprises.

No hearings were held. The bill was polled out of the subcommittee with an amendment by Mr. Simon, and reported favorably by the committee by voice vote, with an amendment in the nature of a substitute by Mr. Simon. This measure passed the Senate by voice vote.

FAIR HOUSING AMENDMENTS ACT

Public Law 100-430 (S. 558—Mr. Kennedy, Mr. Specter). A bill to amend Title VIII of the act commonly called the Civil Rights Act of 1968, to revise the procedures for the enforcement of fair housing, and other purposes. The bill enhanced enforcement of the fair housing law by providing for a strengthened and expedited administrative law enforcement procedure and by making other changes. The bill also expanded the scope of coverage of the Act by barring discrimination against the handicapped and families with children.

The subcommittee held 6 days of hearings (March 31, April 2, 7, 9, June 9 and July 1, 1987). On June 23, 1987, the bill was polled out of subcommittee, with an amendment in the nature of a substitute, and reported favorably to the committee. The House of Representatives passed H.R. 1158, which was substantially similar to the

bill reported by the subcommittee, on June 29, 1988. The Senate took up the House bill on August 1, 1988, amended it, and passed it on August 2, 1988 by a vote of 94-3. The House agreed to the Senate amendments on August 8, 1988, and the bill was signed into law on September 13, 1988.

UNDETECTABLE FIREARMS

Public Law 100-649 (S. 465—Mr. Metzenbaum). A bill to amend Chapter 44, Title 18, United States Code, to prohibit the manufacture, importation, sale or possession of firearms, not detectable by me al detection or x-ray systems commonly used at airports in the United States.

S. 2180 was introduced and replaced S. 465 as the vehicle for this legislation. S. 2180 was added as a substitute amendment to H.R. 4445, which was enacted into law.

V. Other Measures Actively Considered

BALANCED BUDGET AMENDMENT

S.J. Res. 11 (Mr. Simon). A resolution proposing an amendment to the U.S. Constitution requiring a balanced federal budget. Hearings were held March 23, 1988 on S.J. Res. 3 (Dole), 4 (Gramm), 11 (Thurmond), 25 (Exon), 50 (Daschle), 112 (Shelby). The subcommittee held a markup on May 25, 1988 and reported the measure favorably to the committee, with an amendment in the nature of a substitute, as amended.

VI. Other Measures Considered

1. S. 25—Violent Crime Prevention Act (Mr. Moynihan).
2. S. 70—A bill to provide for the imposition of the dealth penalty for certain continuing criminal enterprise drug offenses (Mr. Trible).
3. S. 211—A bill to amend section 2254 of title 28, United States Code, to provide specific procedures for the consideration of writs of habeas corpus filed on behalf of individuals under a sentence of death (Mr. Symms).
4. S. 213—Voluntary School Prayer Act (Mr. Helms).
5. S. 260—Reform of Federal Intervention in State Proceedings Act of 1987 (Mr. Thurmond).
6. S. 274—A bill to restrict the use of federal funds available to the Bureau of Prisons to perform abortions (Mr. Humphrey).
7. S. 277—A bill to establish constitutional procedures for the imposition of the sentence of death, and for other purposes (Mr. Thurmond).
8. S. 278—Exclusionary Rule Limitation Act of 1987 (Mr. Thurmond).
9. S. 325—A bill to amend section 1979 of the Revised Statutes (42 U.S.C. 1983), relating to civil actions for the deprivation of rights, to limit the applicability of that statute to laws relating to equal rights and to provide a special defense to the liability of political subdivisions of States (Mr. Hatch).
10. S. 326—A bill to amend titles 18 and 29 of the United States Code to eliminate, and establish an alternative to the exclusionary rule in Federal criminal proceedings (Mr. Hatch).
11. S. 327—Public School Civil Rights Act of 1987 (Mr. Hatch).
12. S. 357—A bill to provide clarification of limitations on controls of firearms, and to prohibit the use of federal funds to political subdivisions which implement certain gun control ordinances (Mr. Symms).
13. S. 412—A bill to provide for capital punishment for murders committed by prisoners serving a life sentence (Mr. Specter).
14. S. 464—Civil Rights Amendments Act of 1987 (Mr. Cranston).
15. S. 465—A bill to amend chapter 44, title 18, United States Code, to prohibit the manufacture, importation, sale or possession of firearms, not detectable by

metal detection and x-ray systems commonly used at airports in the United States (Mr. Metzenbaum). Hearing held 7/28/87.

16. S. 466—Handgun Violence Prevention Act of 1987 (Mr. Metzenbaum). Hearings held 6/16/87, 8/2/88.

17. S. 589—Constitutional Convention Implementation Act of 1987 (Mr. Hatch).

18. S. 635—Interlocking Directorate Act of 1987; Intellectual Property Reform Act of 1987; Freedom of Information Act Amendments of 1987; Digital Audio Recording Devices Act of 1987; Antitrust Amendments Act of 1987; Antitrust Equal Enforcement Act of 1987; Antitrust Remedies Improvement Act of 1987; Omnibus Intellectual Property Rights Improvement Act of 1987; Foreign Trade Antitrust Improvements Act of 1987; Merger Modernization Act of 1987 (Mr. Thurmond).

19. S. 717—Western Low-Level Radioactive Waste Disposal Compact Consent Act (Mr. Pressler).

20. S. 797—A bill to require the Attorney General to collect data and report annually about hate crimes (Mr. Metzenbaum). Hearings held 6/21/88.

21. S. 867—Equal Access to Housing Act of 1987 (Mr. Hatch).

22. S. 947—A bill to amend title 18 of the United States Code to provide for the imposition of the death penalty in certain espionage cases (Mr. Roth).

23. S. 977—AIDS Awareness Act of 1987 (Mr. Nickles).

24. S. 1160—A bill to establish constitutional procedures for the imposition of the death penalty in espionage cases, and for other purposes (Mr. Byrd).

25. S. 1285—Habeas Corpus Reform Act of 1987 (Mr. Graham).

26. S. 1471—A bill to grant the consent of the Congress to the Tahoe Regional Planning Compact, as amended by the States of Nevada and California (Mr. Hecht).

27. S. 1540—Protection for Institutionalized Disabled Individuals, Amendments Act of 1987 (Mr. Weicker).

28. S. 1923—Department of Defense Appropriations Act, 1988 (Mr. Stennis).

29. S. 1970—Capital Punishment Procedures Act of 1987 Exclusionary Rule Reform Act of 1987; Reform of Federal Intervention in State Proceedings Act of 1987 Criminal; Justice Reform Act of 1987 (Mr. Thurmond).

30. S. 2000—Hate Crime Statistics Act (Mr. Cranston). Hearing held 6/21/88.

31. S. 2001—A bill to restore the right of voluntary prayer in public schools and to promote the separation of powers (Mr. Helms).

32. S. 2051—Prohibition of Undetectable Firearms Act (Mr. McClure).

33. S. 2109—Civil Rights Protection Act of 1988 (Mr. Kerry).

34. S. 2206—A bill to amend the Controlled Substances Act to provide for the imposition of the death penalty for the intentional killing of a law enforcement officer and for certain continuing criminal enterprise drug offenses (Mr. D'Amato).

35. S. 2251—Law Enforcement Officers Protection Act (Mr. Wilson).

36. S. 2327—Undetectable Firearms Act of 1988 (Mr. McClure).

37. S. 2747—Indian Civil Rights Act Amendments of 1988 (Mr. Hatch).

38. S. 2765—National Guardianship Rights Act of 1988 (Mr. Glenn).

39. H.R. 3258—A bill to amend chapter 13 of title 18, United States Code, to impose criminal penalties for damage to religious property and for obstruction of persons in the free exercise of religious beliefs (Mr. Glickman).

40. S.J. Res. 1—A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for women and men (Mr. Kennedy).

41. S.J. Res. 3—A joint resolution proposing an amendment to the Constitution relating to a Federal budget and tax limitation (Mr. Dole). Hearing held 3/23/88.

42. S.J. Res. 4—A joint resolution proposing an amendment to the Constitution relating to a Federal budget procedures (Mr. Gramm). Hearing held 3/23/88.

43. S.J. Res. 6—A joint resolution proposing an amendment to the Constitution authorizing the President to disapprove or reduce an item of appropriations (Mr. Dixon).

44. S.J. Res. 7—A joint resolution proposing an amendment to the Constitution of the United States relating to voluntary school prayer (Mr. Thurmond).

45. S.J. Res. 8—A joint resolution proposing an amendment to the Constitution altering Federal budget procedures (Mr. Heflin).

46. S.J. Res. 13—A joint resolution proposing an amendment to the Constitution of the United States with respect to the English language (Mr. Symms).

47. S.J. Res. 21—A joint resolution proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional, and Presidential elections (Mr. Hollings). Hearing held 3/17/88.

48. S.J. Res. 23—A joint resolution proposing an amendment to the Constitution relating to increases in the public debt of the United States (Mr. Armstrong).

49. S.J. Res. 25—A joint resolution proposing an amendment to the Constitution relating to Federal budget procedures (Mr. Exon). Hearing held 3/23/88.

50. S.J. Res. 27—A joint resolution proposing an amendment to the Constitution of the United States for the protection of unborn children and other persons (Mr. Garn).

51. S.J. Res. 29—A joint resolution proposing an amendment to the Constitution of the United States with respect to the right to life (Mr. Grassley).

52. S.J. Res. 31—A joint resolution proposing an amendment to the Constitution of the United States with respect to the right to life (Mr. Humphrey).

53. S.J. Res. 32—A joint resolution proposing an amendment to the Constitution of the United States with respect to the right to life (Mr. Humphrey).

54. S.J. Res. 36—A joint resolution to amend the Constitution to establish legislative authority in Congress and the States with respect to abortion (Mr. Hatch).

55. S.J. Res. 37—A joint resolution proposing an amendment to the Constitution of the United States relating to voluntary silent prayer or reflection (Mr. Hatch).

56. S.J. Res. 38—A joint resolution proposing an amendment to the Constitution of the United States to allow the President to veto items of appropriation (Mr. Dole).

57. S.J. Res. 50—A joint resolution proposing an amendment to the Constitution of the United States to limit the expenditure of Government funds for any fiscal year to the projected revenue of the Government for that year and to limit the outstanding debt of the United States to thirty per centum of the projected gross national product (Mr. Daschle). Hearing held 3/23/88.

58. S.J. Res. 79—A joint resolution proposing a Constitutional amendment to limit congressional terms (Mr. DeConcini).

59. S.J. Res. 112—A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by the Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 per centum of the gross national product of the United States during the previous calendar year (Mr. Shelby). Hearing held 3/23/88.

60. S.J. Res. 113—A joint resolution proposing an amendment to the Constitution of the United States with respect to the impeachment of Article III judges (Mr. Heflin).

61. S.J. Res. 114—A joint resolution to propose an amendment to the Constitution of the United States to protect the cultural rights of all Americans (Mr. Breaux).

62. S.J. Res. 130—A joint resolution proposing an amendment to the Constitution of the United States relative to limiting campaign expenditures (Mr. Roth). Hearings held 3/17/88.

63. S.J. Res. 161—A joint resolution proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation (Mr. DeConcini).

64. S.J. Res. 166—A joint resolution proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional, Presidential, and State elections (Mr. McConnell). Hearing held 3/17/88.

65. S.J. Res. 377—A joint resolution proposing an amendment to the Constitution regarding federal taxation of State obligations (Mr. Roth).

66. S. Con. Res. 55—A concurrent resolution providing for participation by delegations of members of both Houses of Congress in ceremonies to be held in April 1989 in New York City marking the 200th anniversaries of the implementation of the Constitution as the form of government of the United States, the inauguration of President George Washington, and the proposal of the Bill of Rights as the first ten amendments to the Constitution (Mr. Moynihan).

VII. Oversight Activities

The subcommittee held an oversight hearing on the Civil Rights Division of the Department of Justice on May 26, 1988. William Bradford Reynolds, Assistant Attorney General for Civil Rights, testified on behalf of the department and its request for budgetary authorization for fiscal 1989. Mr. Reynolds outlined the activities of the division for the previous fiscal year. Members of the subcommittee questioned Mr. Reynolds about actions of the division's Educational Opportunities, Special Litigation, Voting, Civil Rights Prosecution and other sections, and about Mr. Reynolds' activities while serving as Assistant Attorney General.

The full committee held an oversight hearing on the Civil Rights Division on March 10, 1987.

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